

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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Washington, Wednesday, April 29, 1959

Title 3—THE PRESIDENT

Proclamation 3287

NATIONAL SAFE BOATING WEEK, 1959

By the President of the United States
of America
A Proclamation

WHEREAS the waters of the United States provide recreation for many millions of our citizens during the boating season; and

WHEREAS safe boating practices contribute to greater enjoyment of the sport by reducing loss of life and damage to property; and

WHEREAS the Congress, by a joint resolution approved June 4, 1958 (72 Stat. 179), has authorized and requested the President of the United States to proclaim annually the week which includes July 4 as National Safe Boating Week:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate the week beginning June 28, 1959, as National Safe Boating Week.

I urge all boatmen, boating organizations, the boating industry, State and Federal agencies, and all other groups interested in boating to join in this observance of National Safe Boating Week; and I call upon them to exert greater effort during that week and throughout the boating season to keep boating safe and pleasant.

I also invite the Governors of the States, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the possessions of the United States to provide for the observance of this Week to encourage nationwide interest in safe boating practices.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of April in the year of our Lord nineteen hundred [SEAL] and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

CHRISTIAN A. HERTER,
Secretary of State.

[F.R. Doc. 59-3654; Filed, Apr. 27, 1959;
2:05 p.m.]

Proclamation 3288

CITIZENSHIP DAY AND CONSTITUTION WEEK, 1959

By the President of the United States
of America
A Proclamation

WHEREAS our freedom as individuals and our growth as a Nation have their beginnings in the Constitution of the United States, signed at Philadelphia on September 17, 1787, the principles of which have been sustained and defended, in peace and in war, by generations of dedicated citizens; and

WHEREAS it is fitting that all citizens, both native-born and naturalized, observe the birthday of the Constitution and reaffirm their determination to keep faith with the Founding Fathers by giving life and meaning to the ideals of the Constitution; and

WHEREAS by a joint resolution approved February 29, 1952 (66 Stat. 9), the Congress designated the seventeenth day of September of each year as Citizenship Day in commemoration of the signing of the Constitution and in recognition of those citizens who have come of age and those who have been naturalized during the year; and

WHEREAS by a joint resolution approved August 2, 1956 (70 Stat. 932), the Congress requested the President to designate the week beginning September 17 of each year as Constitution Week, a time for study and observance of the acts

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FEDERAL REGISTER

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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplements are now available:

Titles 4-5 (\$0.50)

Title 7, Parts 1-50, Rev. Jan. 1, 1959 (\$4.00)

Parts 51-52, Rev. Jan. 1, 1959 (\$6.25)

Titles 28-29 (\$1.50)

Title 33 (\$1.50)

Previously announced: Title 3, 1958 Supp. (\$0.35); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 10-13, Rev. Jan. 1, 1959 (\$5.50); Title 14, Parts 40-399 (\$0.55); Title 18 (\$0.25); Titles 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Parts 80-169 (\$0.20); Parts 170-182 (\$0.20); Part 300 to end, Title 27 (\$0.30); Title 32, Parts 700-799 (\$0.70); Part 1100 to end (\$0.35); Title 32A (\$0.40); Titles 35-37 (\$1.25); Title 38 (\$0.55); Title 39 (\$0.70); Titles 40-42 (\$0.35); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Part 30 to end (\$0.30); Title 49, Parts 1-70 (\$0.25); Part 71-90 (\$0.70); Parts 91-164 (\$0.40)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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which resulted in the formation of the Constitution; and

WHEREAS the aforesaid resolutions of the Congress authorize the President to issue annually a proclamation calling for the observance of Citizenship Day and Constitution Week:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, call upon the appropriate officials of the Government to display the flag of the United States on all Government buildings on Citizenship Day, September 17, 1959; and I urge Federal, State, and local officials, as well as all religious, civic, educational, and other organizations, to plan appropriate ceremonies on Citizenship Day to develop a better understanding of the rights and responsibilities of citizenship.

I also designate the period beginning September 17 and ending September 23, 1959, as Constitution Week; and I urge the people of the United States to observe that week with appropriate ceremonies and activities in their schools and churches and in other suitable places.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal

of the United States of America to be affixed.

DONE at the City of Washington this twenty-fifth day of April in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

CHRISTIAN A. HERTER,
Secretary of State.

[F.R. Doc. 59-3655; Filed, Apr. 27, 1959;
2:05 p.m.]

Proclamation 3289

NATIONAL MARITIME DAY, 1959

By the President of the United States
of America
A Proclamation

WHEREAS the United States has long fostered and encouraged the development and maintenance of a strong Merchant Marine; and

WHEREAS this is the year in which the N.S. *Savannah*, the world's first nuclear-powered merchant ship, will be launched upon the high seas; and

WHEREAS this ship provides another visible sign of the determination of the American people to devote the power of the atom to the furtherance of peaceful trade and to the progress of humanity; and

WHEREAS the Congress, by a joint resolution approved May 20, 1933 (48

Stat. 73), designated May 22 as National Maritime Day, in commemoration of the departure from Savannah, Georgia, on May 22, 1819, of the S.S. *Savannah* on the first transoceanic voyage by any steamship, and requested the President to issue a proclamation annually calling for the observance of that day:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby urge the citizens of the United States to honor our Merchant Marine on Friday, May 22, 1959, National Maritime Day, by displaying the flag of the United States at their homes or other suitable places; and I direct the appropriate officials of the Government to arrange for the display of the flag on all Government buildings on that day.

I also request that all ships sailing under the American flag dress ship on National Maritime Day in tribute to the American Merchant Marine.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-seventh day of April in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

CHRISTIAN A. HERTER,
Secretary of State.

[F.R. Doc. 59-3668; Filed, Apr. 28, 1959;
10:34 a.m.]

RULES AND REGULATIONS

Title 9—ANIMALS AND
ANIMAL PRODUCTSChapter I—Agricultural Research
Service, Department of Agriculture

SUBCHAPTER G—ANIMAL BREEDS

PART 151—RECOGNITION OF BREEDS
AND BOOKS OF RECORD OF PURE-
BRED ANIMALS

Examination of Animal

Pursuant to paragraph 1606 of section 201 of the Tariff Act of 1930, as amended (19 U.S.C. 1201, par. 1606), § 151.7(c) of the regulations governing the recognition of breeds and books of record of purebred animals (9 CFR 151.7(c), as amended) is hereby further amended by deleting the last sentence therein and adding at the end of said paragraph the following: "When, upon such examination of any animal, the appearance of the animal as to color, markings, and other identifying characters does not conform with the description given in

the pedigree certificate and the importer desires to pursue the matter further, the pedigree certificate shall be retained by the inspector; and an application for a certificate of pure breeding and affidavit of identity for such animal shall be furnished, within 24 hours after the examination, to the inspector. The inspector shall forward all such papers to the Washington office of the Division by registered mail so that a determination may be made as to the identity of the animal in question. Since all certificates of pure breeding under the regulations for horses are issued by the Washington office of the Division, when the animal of questioned identity is a horse, similar papers shall also be furnished and forwarded in the same manner for each other horse in the entry. Pedigree certificates received by the Division under this paragraph will be returned as soon as the eligibility or ineligibility for a certificate of pure breeding of the animal of questioned identity has been determined by the Department. Removal of an animal from the port of arrival prior to presentation of the pedigree certifi-

cate or other failure to comply with the requirements of this paragraph shall constitute a waiver of any further claim to certification under the regulations in this part."

The foregoing amendment makes more stringent the requirements for obtaining certificates of pure breeding under the regulations, and should be made effective as soon as possible, in order to assure that such certificates will be issued only for animals which can definitely be identified as the animals covered by the pedigree certificates offered as a basis for certification of pure breeding under the regulations. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice of rule-making and other public procedure on the amendment would be impracticable and contrary to the public interest and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

The amendment shall become effective upon publication in the FEDERAL REGISTER, and shall apply to all animals in-

spected under the regulations at port of arrival on or after said date.

(Par. 1606, sec. 201, 46 Stat. 672, as amended; 19 U.S.C. 1201, par. 1606)

Done at Washington, D.C., this 24th day of April 1959.

[SEAL] M. R. CLARKSON,
*Acting Administrator,
Agricultural Research Service.*

[F.R. Doc. 59-3622; Filed, Apr. 28, 1959;
8:50 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Treasury Department

Effective upon publication in the FEDERAL REGISTER, subparagraph (5) is added to § 6.103(b) as set out below.

§ 6.103 Treasury Department.

(b) Bureau of Customs. * * *

(5) Positions at the GS-9 grade level and below of customs enforcement officer, customs inspector, customs marine clerk/officer, customs sampler, customs warehouse officer, deputy collector, interpreter, janitor, and laborer that are of a continuing nature, and the duties of which are intermittent or part-time and require the services of an employee for not more than 700 hours of employment during his service year. A person appointed under this authority may not be employed in the Bureau of Customs under a combination of this authority and any other authority for excepted appointment for more than 700 hours during his service year.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-3585; Filed, Apr. 28, 1959;
8:45 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Health, Education, and Welfare

Effective upon publication in the FEDERAL REGISTER, paragraph (a) (5) of § 6.314 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-3613; Filed, Apr. 28, 1959;
8:49 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Veterans Administration

Effective upon publication in the FEDERAL REGISTER, paragraph (c) (2) of § 6.122 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-3618; Filed, Apr. 28, 1959;
8:49 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

PART 50—SPECIAL SERVICES AND STUDIES BY THE BUREAU OF THE CENSUS

Extension of 1960 Census Program for Housing Statistics by Blocks to Urban Fringe Areas Adjacent to Cities of 50,000 or More Population

In accordance with the provisions of section 4 (a) and (c) of the Administrative Procedure Act, it has been found that notice and hearing of this amendment and postponement of the effective date thereof is impracticable and unnecessary for the reason that such procedure, because of the nature of the rules, serves no useful purpose.

A notice containing the fee structure and other information for cities under 50,000 population to obtain housing statistics by blocks as a part of the 18th Decennial Censuses to be conducted in 1960 was published in the FEDERAL REGISTER on April 18, 1958 (§ 50.25, 23 F.R. 2572) and amended January 31, 1959 (24 F.R. 711). The fee structure is further amended to include a fee for urban fringe areas adjacent to cities of 50,000 population or more, which fee is the same as stated in the previous notices for the first 50,000 population, plus \$60 for each additional 1,000 population or fraction thereof, if the population should exceed 50,000. Additional information may be obtained by writing to the Director, Bureau of the Census, Washington 25, D.C.

Effective April 15, 1959.

(Sec. 3, 49 Stat. 293, as amended; 15 U.S.C. 192a. Interprets or applies sec. 1, 40 Stat. 1256, as amended, sec. 1, 49 Stat. 292, sec. 8, 68 Stat. 1013, as amended; 15 U.S.C. 192, 189a, 13 U.S.C. 8)

[SEAL] ROBERT W. BURGESS,
*Director,
Bureau of the Census.*

[F.R. Doc. 59-3614; Filed, Apr. 28, 1959;
8:49 a.m.]

Title 7—AGRICULTURE

Chapter II—Agricultural Marketing Service (School Lunch Program), Department of Agriculture

PART 210—REGULATIONS AND PROCEDURES

Appendix—Second Apportionment of Food Assistance Funds Pursuant to National School Lunch Act, as Amended, Fiscal Year 1959

The funds available for purposes of the National School Lunch Act (42 U.S.C. 1751-1760) for food assistance for the fiscal year ending June 30, 1959, are re-apportioned as follows in order to effect a further apportionment of supplemental funds pursuant to section 4 of the Act.

| State | Total | State agency | With- held for private schools |
|------------------------------|-------------|-----------------|---|
| Alabama..... | \$2,903,620 | \$2,817,558 | \$86,062 |
| Alaska..... | 62,167 | 62,167 | |
| Arizona..... | 681,795 | 630,269 | 51,526 |
| Arkansas..... | 1,805,890 | 1,769,489 | 36,391 |
| California..... | 5,022,644 | 5,022,644 | |
| Colorado..... | 854,083 | 780,497 | 73,586 |
| Connecticut..... | 739,771 | 739,771 | |
| Delaware..... | 111,717 | 108,002 | 3,715 |
| District of Columbia..... | 239,042 | 239,042 | |
| Florida..... | 1,990,636 | 1,898,642 | 91,994 |
| Georgia..... | 2,956,783 | 2,956,783 | |
| Guam..... | 10,931 | 8,283 | 2,678 |
| Hawaii..... | 338,613 | 274,340 | 64,264 |
| Idaho..... | 436,498 | 421,016 | 15,482 |
| Illinois..... | 3,578,143 | 3,578,143 | |
| Indiana..... | 2,226,431 | 2,226,431 | |
| Iowa..... | 1,614,735 | 1,435,887 | 178,848 |
| Kansas..... | 1,193,034 | 1,193,034 | |
| Kentucky..... | 2,495,511 | 2,495,511 | |
| Louisiana..... | 2,311,384 | 2,311,384 | |
| Maine..... | 548,491 | 463,315 | 85,176 |
| Maryland..... | 1,218,451 | 1,080,451 | 138,000 |
| Massachusetts..... | 1,916,444 | 1,916,444 | |
| Michigan..... | 3,473,891 | 2,932,637 | 541,254 |
| Minnesota..... | 1,862,169 | 1,555,342 | 306,827 |
| Mississippi..... | 2,626,110 | 2,626,110 | |
| Missouri..... | 2,049,425 | 2,049,425 | |
| Montana..... | 363,009 | 322,410 | 40,599 |
| Nebraska..... | 841,314 | 740,188 | 101,126 |
| Nevada..... | 97,399 | 92,102 | 5,297 |
| New Hampshire..... | 289,614 | 289,614 | |
| New Jersey..... | 1,885,132 | 1,544,132 | 341,000 |
| New Mexico..... | 646,322 | 646,322 | |
| New York..... | 5,726,837 | 5,726,837 | |
| North Carolina..... | 3,770,409 | 3,770,409 | |
| North Dakota..... | 504,411 | 452,900 | 51,451 |
| Ohio..... | 3,993,636 | 3,372,624 | 620,712 |
| Oklahoma..... | 1,455,004 | 1,455,004 | |
| Oregon..... | 880,146 | 880,146 | |
| Pennsylvania..... | 4,978,099 | 3,976,810 | 1,001,289 |
| Puerto Rico..... | 3,423,186 | 3,423,186 | |
| Rhode Island..... | 363,075 | 363,075 | |
| South Carolina..... | 2,471,540 | 2,437,952 | 33,588 |
| South Dakota..... | 533,469 | 479,098 | 54,371 |
| Tennessee..... | 2,770,158 | 2,689,816 | 80,342 |
| Texas..... | 5,505,955 | 5,198,727 | 307,228 |
| Utah..... | 575,820 | 567,174 | 8,656 |
| Vermont..... | 227,692 | 227,692 | |
| Virginia..... | 2,294,146 | 2,188,462 | 105,684 |
| Virgin Islands..... | 38,516 | 38,516 | |
| Washington..... | 1,276,291 | 1,174,973 | 101,318 |
| West Virginia..... | 1,552,182 | 1,511,351 | 40,831 |
| Wisconsin..... | 1,979,769 | 1,505,150 | 474,610 |
| Wyoming..... | 172,410 | 172,410 | |
| Total..... | 93,890,000 | 88,840,045 | 5,049,955 |

(Secs. 2-11, 60 Stat. 230-233, as amended; 42 U.S.C. 1751-1760)

Dated: April 24, 1959.

[SEAL] ROY W. LENNARTSON,
Acting Administrator.

[F.R. Doc. 59-3598; Filed, Apr. 28, 1959;
8:46 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 1021—TOMATOES GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

Notice of rule making with respect to proposed limitation of shipments, to be made effective under Marketing Order No. 121 (7 CFR Part 1021; 24 F.R. 2425), regulating the handling of tomatoes grown in the Counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley), issued under the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), was published in the FEDERAL REGISTER April 17, 1959 (24 F.R. 2960).

This notice afforded interested persons an opportunity to file data, views or arguments pertaining thereto within five days after publication. After considering all relevant matters presented, including the proposals set forth in the aforesaid notice, it is hereby found that the limitation of shipments, as herein-after provided, will tend to effectuate the declared policy of the act.

Findings. It is hereby found that good cause exists for not postponing the effective date of § 1021.301 until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that (1) the handling of tomatoes grown in the production area will begin on or about the effective date of this section, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the handling of tomatoes in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) notice has been given of the proposed limitation of shipments set forth in this section through publicity in news media in the production area and by publication in the FEDERAL REGISTER of April 17, 1959 (24 F.R. 2960).

§ 1021.301 Limitation of shipment.

Except as otherwise provided in this section, during the period May 4, 1959, through July 4, 1959, the following regulations shall be effective with respect to all varieties of tomatoes handled, as defined in § 1021.7 of Order No. 121, and no person shall handle such tomatoes or cause such tomatoes to be handled unless they are inspected and certified as required by paragraph (b) and meet the requirements of paragraph (a).

(a) *Requirements*—(1) *Minimum grade.* U.S. No. 2, or better, grade.

(2) *Minimum size.* $2\frac{1}{32}$ inches in diameter or larger. Not more than ten percent, by count, of tomatoes in any lot of size 7 x 7 ($2\frac{1}{32}$ inches minimum diameter to $2\frac{3}{32}$ inches maximum diameter)

may be smaller than the specified minimum diameter.

(3) *Sizing arrangements.* (i) Mature green tomatoes shall be packed in one of the following ranges of diameter applicable thereto:

| Size arrangements | |
|-------------------|---|
| Mature green: | |
| 7 x 7----- | $2\frac{1}{32}$ to $2\frac{3}{32}$, inclusive. |
| 6 x 7----- | Over $2\frac{1}{32}$ to $2\frac{1}{2}$, inclusive. |
| 6 x 6----- | Over $2\frac{1}{32}$. |

(ii) All tomatoes subject to sizing arrangements shall be packed separately for each size range, except that size 6 x 6 and larger sizes may be commingled.

(iii) To allow for variations incident to proper sizing and handling, for mature green tomatoes, not more than a total of ten percent, by count, in any lot, may be smaller than the minimum diameter or larger than the specified maximum diameter. Tomatoes of turning or greater degree of maturity shall not be subject to size arrangements.

(b) *Inspection.* (1) All tomatoes handled pursuant to this part, other than those specifically excepted therefrom pursuant to paragraph (c) "*Excepted varieties*", or exempted pursuant to paragraphs (d) "*Repacked tomatoes*" and (e) "*Minimum quantity*", shall be inspected and certified pursuant to the provisions of § 1021.60; and

(2) No handler shall transport or cause the transportation of any shipment of tomatoes by motor vehicle unless each such shipment is accompanied by a copy of the inspection certificate applicable thereto.

(c) *Excepted varieties.* Elongated types of tomatoes, commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top, and Roma varieties; and cerasiform type tomatoes commonly referred to as cherry tomatoes, are not subject to the requirements of this section.

(d) *Repacked tomatoes.* A handler who is a repacker within the production area may register with the committee, as a repacker, in accordance with applicable rules and regulations, and thereafter may handle repacked tomatoes without reinspection thereon after repacking, if such tomatoes were previously inspected prior to repacking and met the grade and size requirements of this section.

(e) *Minimum quantity.* For purposes of these regulations, each person subject thereto may handle, pursuant to § 1021.53, up to, but not to exceed, 120 pounds of tomatoes per day without regard to the requirements of this part, but this exception shall not apply to any portion of a shipment of over 120 pounds of tomatoes.

(f) *Special purpose shipments and safeguards.* The limitations set forth in this section shall not be applicable to shipments of tomatoes for the following purposes: (1) Relief or charity; (2) processing; and (3) for experimental purposes: *Provided*, That each handler making shipments of tomatoes pursuant to this paragraph shall first apply for and obtain an approved Certificate of

Privilege from the committee applicable to shipments for such purposes.

(g) *Definitions*—(1) *Tomato classifications.* For purposes of this section (i) mature green shall apply to all tomatoes in which the contents of two or more seed cavities will have developed a jelly-like consistency and the seeds will be well developed, slightly hard, and in slicing the fruit with a sharp knife will usually be pushed aside rather than cut; (ii) turning or of a greater degree of maturity shall apply to all tomatoes where there is at least a definite break in color to yellow or pink at the blossom end and all higher degrees of color as used and defined under Color Classification in the United States Standards for Fresh Tomatoes (§ 51.1864 of this title); (iii) incident to proper classification, any lot of tomatoes containing more than ten percent, by count, of mature green tomatoes shall be classified as mature green tomatoes; and for any lot of tomatoes to be classified as turning or of a greater degree of maturity, not more than a total of ten percent, by count, of such tomatoes may fail to meet the minimum color requirements;

(2) *Grade and size.* (i) The term "U.S. No. 2" means the U.S. No. 2 grade, as set forth in the United States Standards for Fresh Tomatoes (§§ 51.1855 to 51.1877 of this title; 22 F.R. 4528), including the tolerances set forth therein; and (ii) the application of tolerances for size shall be as set forth in § 51.1861 of said United States Standards for Fresh Tomatoes.

(3) *Other terms.* All other terms used in this section shall have the same meaning as when used in Marketing Order No. 121 (Part 1021 of this title).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 24, 1959, to become effective May 4, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F.R. Doc. 59-3621; Filed, Apr. 28, 1959; 8:49 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 54836]

PART 32—TRADE FAIRS

Entry of Articles

The Trade Fair Act of 1959 permits the free entry under bond of imported articles for exhibition or for use in constructing, installing, or maintaining foreign exhibits at fairs designated by the Secretary of Commerce under that Act.

In order to provide regulations governing the entry of articles for a fair, their disposition, bonds, customs supervision, and other activities necessary to protect the revenue, the Customs Regulations

are amended by adding a new part as follows:

Sec.

32.1 Definitions.

32.2 Invoices; marking; bond.

32.3 Entry; appraisement; procedure.

32.4 Compliance, provisions of Plant Quarantine Act of 1912, and Federal Food, Drug and Cosmetic Act.

32.5 Detail of customs officers to protect revenue; expenses.

32.6 Disposition of articles entered for fairs; entry or transfer; destruction; abandonment, voluntary or mandatory; exportation.

AUTHORITY: §§ 32.1 to 32.6, inclusive, issued under R.S. 161, as amended, 251, secs. 623, 624, 46 Stat. 759, as amended; 5 U.S.C. 22, 19 U.S.C. 66, 1623, 1624; Pub. Law 86-14.

§ 32.1 Definitions.

(a) *The Act.* The term "the Act" means the Trade Fair Act of 1959.¹

¹ SECTION 1. *Short title.* This Act may be cited as the "Trade Fair Act of 1959".

SEC. 2. *Designation of fairs.*

(a) *In general.* When the Secretary of Commerce is satisfied that the public interest in promoting trade will be served by allowance of the privileges provided for in this Act to any fair to be held in the United States, he shall so advise the Secretary of the Treasury, designating (1) the name of the fair, (2) the place where the fair will be held, (3) the date when the fair will open and the date when it will close, and (4) the name of the operator of the fair.

(b) *Definitions.* For purposes of this Act—

(1) The term "fair" means any fair, exhibition, or exposition designated by the Secretary of Commerce pursuant to this section.

(2) The term "closing date" in the case of any fair means the date designated pursuant to subsection (a) (3) as the date when the fair will close, or (if earlier) the date on which such fair actually closes.

(c) *Regulations.* The Secretary of Commerce may prescribe such regulations as he deems necessary or appropriate to carry out the provisions of this section.

SEC. 3. *Entry of articles for fairs.* Any article imported or brought into the United States—

(1) Which is in continuous customs custody, covered by a customs exhibition bond, or in a foreign trade zone, and

(2) On which no duty or internal-revenue tax has been paid, may, without payment of any duty or internal-revenue tax, be entered under bond under this section for the purpose of exhibition at a fair, or for use in constructing, installing, or maintaining foreign exhibits at a fair.

SEC. 4. *Disposition of articles entered for fairs.*

(a) *Entry under general customs laws, etc.* At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 3 may be sold or otherwise disposed of within, or may be removed from, the area of such fair. This subsection shall apply only if, before such disposition or removal—

(1) The article, after the entry for such fair under section 3, has been entered under any provision of the customs laws, and

(2) Any applicable duties and internal-revenue taxes are paid on such article in its condition and quantity, and at the rate in effect, at the time of such entry as if such article were imported or brought into the United States at the time of such entry.

(b) *Disposition without payment of duty.* At any time before, or within 3 months after, the closing date of any fair, any article entered for such fair under section 3 may, without the payment of any duties or internal-revenue taxes, be—

(b) *Fair.* The term "fair" means a fair, exhibition, or exposition designated by the Secretary of Commerce pursuant to the Trade Fair Act of 1959.

(c) *Fair operator.* The term "fair operator" means the party named by the Secretary of Commerce as the operator of the fair.

(d) *Port.* The term "port" means the port at which the fair is to be held or, if the fair is not to be held within the limits of a port, the port nearest to the location of the fair which is in the same customs collection district as the fair.

(e) *Collector.* The term "collector" means the collector, or deputy collector in charge, of the port as defined above.

(f) *Closing date of the fair.* The term "closing date of the fair" means the date designated by the Secretary of Commerce as the date when the fair will close (which date is subject to ex-

(1) Exported.

(2) Transferred from such fair to other customs custody status or to a foreign-trade zone.

(3) Destroyed, or

(4) Abandoned to the Government.

(c) *Mandatory abandonment to Government.* If any article entered under section 3 is still in customs custody, under such entry, at the expiration of 3 months after the closing date of the fair for which it was entered, such article shall thereupon be regarded as an article abandoned to the Government and shall be subject to sale or destruction of the article and disposition of the proceeds of sale in the manner provided for in sections 491, 492, and 493 of the Tariff Act of 1930. For purposes of this subsection, any duties or internal-revenue taxes on the article shall be computed on the basis of its condition and quantity at the time it becomes subject to sale.

(d) *Period for performance of certain acts.* Whenever any article entered under section 3 is transferred pursuant to subsection (b) (2) or entered under subsection (a), the period prescribed for the performance of any act required by the provision governing the status to which the article is transferred, or under which the article is entered, shall run from the date of such transfer or entry.

SEC. 5. *Marking, packaging, and labeling.*

(a) *Customs laws.* Articles entered under section 3 shall not be subject to any marking requirements of the customs laws, except that when any such article is entered for consumption under section 4 it shall not be released from customs custody until the marking requirements of the customs laws have been complied with.

(b) *Internal-revenue laws, etc.* Articles entered under section 3 shall not be subject to the packaging, marking, or labeling requirements of the internal-revenue laws or of the Federal Alcohol Administration Act, except that any such article failing to comply with such requirements—

(1) Shall be conspicuously marked prior to exhibition "Not labeled or packaged as required by law—not for sale", and

(2) When entered for consumption under section 4, shall not be released from customs custody until such packaging, marking, and labeling requirements have been complied with.

The application of the permit requirements of the Federal Alcohol Administration Act and the occupational taxes prescribed by chapter 51 of the Internal Revenue Code of 1954 shall be determined without regard to this Act.

SEC. 6. *Responsibilities of fair operator.*

(a) *Sole consignee and importer.* Each fair operator designated by the Secretary of Commerce pursuant to section 2 shall be deemed

tension by the said Secretary), or, if the fair closes earlier, the date on which the fair actually closes.

(g) *Articles for exhibition.* The term "articles for exhibition" includes, but is not limited to, pamphlets, brochures, and explanatory material in reasonable quantities relating to exhibits at a fair.

§ 32.2 Invoices; marking; bond.

(a) Articles intended for exhibition under the provisions of the Act and valued at over \$500 are subject to the usual special customs invoice requirements if of a class for which such invoices are required under the Tariff Act of 1930; as amended, and the regulations in this chapter. The invoices shall be on either customs Form 5515 or on foreign service Form 138 and shall contain the information prescribed under section 481 of the Tariff Act of 1930.

(b) The marking requirements of the Tariff Act of 1930, as amended, and the regulations promulgated thereunder will not apply to articles entered under the regulations in this part except when such articles are entered for consumption, in which case they shall be released from customs custody only upon a full compliance with the marking requirements of the tariff act, as amended, and the regulations promulgated thereunder.

(c) The packaging, marking, and labeling requirements of the internal-revenue laws and of the Federal Alcohol Administration Act will not apply to articles entered under the regulations in this part, except (1) that any article failing to comply with such requirements shall be conspicuously marked prior to exhibition "Not labeled or packaged as required by law—not for sale", and (2) when any such article is withdrawn for consumption, it shall be released from customs custody only upon a full compliance with such packaging, marking, and labeling requirements.

(d) The fair operator shall furnish for the approval of the collector a bond in the following form and in an amount to be determined by the collector:

TRADE FAIR BOND

Know all men by these presents, That _____, as principal, and _____, of _____, of _____,

the sole consignee and importer of all articles entered under section 3 for the fair for which such operator has been designated.

(b) *Expenses of customs custody, etc.* The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, custody, abandonment, destruction, or release of articles entered under section 3, together with the necessary charges for salaries of customs officers and employees in connection with the accounting for, custody of, and supervision over, such articles, shall be reimbursed to the United States by the operator of the fair for which they are entered. Receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U.S.C., sec. 1524).

SEC. 7. *Regulations.* The Secretary of the Treasury may prescribe such regulations as may be necessary or appropriate to carry out the provisions of this Act (other than section 2 thereof). (P.L. No. 86-14)

and -----, as sureties, are held and firmly bound unto the United States of America in the sum of ----- dollars (\$ -----), for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Witness our hands and seals this ----- day of -----, 19-----.

Whereas, pursuant to the provisions of the Trade Fair Act of 1959, Public Law 86-14, approved April 22, 1959, the Secretary of Commerce has approved an application by the principal hereon for the operation of a fair to be known as -----

(Insert exact name of fair)

at -----; and
(City and State)

Whereas, pursuant to the foregoing Act, imported articles may be imported or brought into the United States without the payment of duties, taxes, fees, charges, or exactions, for purposes of exhibition at the designated fair, or for use in constructing, installing, or maintaining foreign exhibits at such fair, under such regulations as the Secretary of the Treasury shall prescribe;

Now, therefore, the condition of this obligation is such, that—

(1) If the above-bounden principal shall comply in all respects with the provisions of the foregoing Act and the regulations issued by the Secretary relating to the exhibition or use of any article imported or brought into the United States for the designated fair; and shall receive for exhibition or use at such fair only such articles as may be permitted by law and regulations to be deposited therein; and shall safely keep or use the same therein all in accordance with the purposes authorized by law, and shall not remove, nor suffer to be removed, any article from the fair premises without lawful permit and without the presence of the customs officer in charge;

(2) And if the above-bounden principal shall pay to the collector of customs, when demanded by him, all unpaid duties, taxes, fees, charges, or exactions found legally due in connection with all articles entered or brought into the United States for the fair under the provisions of the designated Act and charged against this bond; and if in respect of any of the articles released from customs custody shall redeliver or cause to be redelivered to the order of the collector of customs, upon proper demand made at any time, any and all articles found not to comply with the law and regulations governing their admission into the commerce of the United States, and shall, after proper notice, mark, label, clean, fumigate, destroy, export, and do any and all other things in relation to said articles that may be required to secure the protection of the revenue and compliance with the Trade Fair Act referred to in the recital clause of this obligation and with all applicable customs and related laws; it being expressly understood and agreed that the liability under this bond shall extend to all cases where any of the articles entered for exhibition or use are lost or stolen, whether or not the said loss or theft shall result from the fault of said principal;

(3) And if the above-bounden principal shall pay monthly to the collector of customs, the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisalment, release, or custody of the imported articles, together with the compensation of the customs officers and employees on duty at or assigned to the fair premises in connection with the accounting for, custody of, and supervision over, the articles entered pursuant to the designated Act, including overtime compensation of customs officers

and employees assigned to duty at night or on Sunday or a holiday;

(4) And if the above-bounden principal, when an article is entered from the Fair for exportation, shall cause the said article to be actually exported from the United States and not relanded therein, and if proof of exportation from the United States be furnished to the said collector in the form and within the time required by law or regulations, or within any lawful extension of such time; or in lieu of exportation, if the said article shall be destroyed or abandoned within the period fixed by law, or, in default thereof, if the obligors shall pay to the collector the full amount of duties, taxes, fees, charges, and exactions which may be found legally due on the said articles;

(5) And if the said principal shall deliver to the collector of customs all the documents and evidence as may be required in connection with the entry of the articles at the designated fair, and in the form and within the time required by law or regulations, or any lawful extensions thereof, and shall comply with all other requirements of law and regulations;

Then this obligation shall be void; otherwise to remain in full force and effect.

Signed, sealed, and delivered in the presence of—

| | | | |
|--------|-----------|-------------|--------|
| (Name) | (Address) | | |
| (Name) | (Address) | (Principal) | [SEAL] |
| (Name) | (Address) | | |
| (Name) | (Address) | (Surety) | [SEAL] |
| (Name) | (Address) | | |
| (Name) | (Address) | (Surety) | [SEAL] |

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, -----, certify that I am the -----(*)----- of the corporation named as principal in the within bond; that -----, who signed the said bond on behalf of the principal, was then ----- of the said corporation; that I know his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

----- [SEAL]
*(May be executed by the secretary, assistant secretary, or other corporate officer.)

§ 32.3 Entry; appraisalment; procedure.

(a) All entries under the regulations in this part shall be made at the port in the name of the fair operator which shall be deemed for customs purposes the sole consignee of the merchandise entered under the Act and which shall be held responsible to the Government for all duties and charges due the United States on account of such entries; but, in the case of merchandise entered under the general customs laws from a fair, the entry may be made in the name of any person duly authorized in writing by the fair operator to make such entry.

(b) Articles to be entered under the regulations in this part which arrive at ports other than "the port", as defined in this part, shall be entered for immediate transportation without appraisalment to the latter port in the manner prescribed in Part 18 of this chapter.

(c) Upon the arrival at the port of articles to be entered under the regulations in this part, they shall be entered on a special form of entry to read substantially as follows:

ENTRY FOR EXHIBITION

Entry No. -----
Entry at the port of ----- of
articles consigned or transferred to ----- (Fair operator)
under -----
I.T. No. ----- ex S.S. -----
from ----- on the ----- day of -----
19-----, for exhibition purposes under the Trade Fair Act of 1959.

| Mark | Number | Package and contents | Quantity | Invoice value |
|------|--------|----------------------|----------|---------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

----- (Fair operator)
By -----

(d) Upon such entry being made, the collector shall issue a special permit for the transfer of the articles covered thereby to the buildings in which they are to be exhibited or used, or, in the discretion of the collector, to the appraiser's stores for examination and subsequent transfer to the buildings in which they are to be exhibited or used. The articles shall be tentatively appraised prior to their exhibition or use. No imported exhibit entered under the regulations in this part shall be removed from or used on the fair premises unless it is first entered in accordance with § 32.6(a), and no imported construction, installation, or maintenance material entered under these regulations shall be removed from the fair premises except in accordance with that section; and such exhibits, and materials shall be kept segregated from domestic articles and from imported articles entered under the provisions of the general customs laws and released from customs custody thereunder.

(e) If for any reason articles imported or brought in for entry under the regulations in this part are not upon their arrival to be delivered immediately at a fair building, the fair operator should so indicate to the collector in writing, who will cause such articles to be placed in a bonded warehouse under a "general order permit" at the risk and expense of the fair operator. At any time within one year from the date such articles are imported or brought in, they may be entered under these regulations for a fair, or entered under the general tariff law, or for exportation. If not so entered within such period, they will be regarded as abandoned to the Government.

(f) Any article imported or brought into the United States which is in continuous customs custody, covered by a customs exhibition bond, or in a foreign-trade zone, on which no duty or internal-revenue tax has been paid, may be entered under bond under the regulations in this part for the purpose of exhibition at a fair, or for use in constructing, installing, or maintaining foreign exhibits at a fair. In each case an entry under paragraph (c) of this section shall be filed, which entry shall supersede any previous entry. No bond other than that specified in § 32.2(d) shall be required.

Articles which have been entered under section 308 of the Tariff Act of 1930, as amended, may not be entered under the regulations in this part for a fair.

§ 32.4 Compliance, provisions of Plant Quarantine Act of 1912, and Federal Food, Drug, and Cosmetic Act.

The entry of plant material subject to restriction under the Plant Quarantine Act of 1912, as amended (7 U.S.C. 151-164a, 167), shall not be permitted except under permits issued therefor by the Plant Quarantine Branch of the Agriculture Research Service, Department of Agriculture, and in accordance with the plant quarantine regulations. The entry of food products shall conform to the requirements of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 et seq.), and regulations issued thereunder.

§ 32.5 Detail of customs officers to protect revenue; expense.

(a) The collector shall detail an officer to act as his representative at the fair and shall station inside the buildings as many additional customs officers and employees as may be necessary to properly protect the revenue.

(b) All actual and necessary charges for labor, services, and other expenses in connection with the entry, examination, appraisement, custody, abandonment, destruction, or release of articles entered under the regulations in this part, together with the necessary charges for salaries of customs officers and employees in connection with the accounting for, custody of, and supervision over, such articles, shall be reimbursed by the fair operator to the Government, payment to be made monthly to the collector for deposit to the appropriation from which paid.

§ 32.6 Disposition of articles entered for fairs: entry or transfer; destruction; abandonment, voluntary or mandatory; exportation.

(a) Any article entered under the regulations in this part may be entered for consumption, for warehouse, or under any other provision of the customs laws, or for another fair, or may be transferred to other customs custody status or to a foreign-trade zone, or abandoned to the Government, or destroyed under customs supervision, or exported, at any time before, or within three months after, the closing date of the fair (including any extension of such closing date). Upon entry of such articles under a provision of the customs laws, or at the expiration of three months after the closing date of the fair (including any extension) in the case of articles not previously entered or transferred, they shall be appraised. Such appraisement shall be final in the absence of an appeal to reappraisal, as provided in section 501 of the Tariff Act of 1930, as amended. In the case of any article entered under a provision of the customs laws or for another fair, or transferred to other customs custody status or to a foreign-trade zone, the period prescribed for the performance of any act required by the provision governing the status under which the article is entered, or to which it is transferred,

shall be computed from the date of such entry or transfer.

(b) At any time before, or within three months after, the closing date of the fair, including any extension, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, upon compliance with the regulations provided for in § 15.4 of this chapter, so far as applicable in the case of articles abandoned under section 563(b) of the Tariff Act of 1930, as amended, or destroyed under section 557(c) of the Tariff Act of 1930, as amended.

(c) Articles which are entered from a fair under the regulations in this part for entry at another fair under such regulations shall be retained in continuous customs custody.

(d) Any article entered hereunder from a foreign-trade zone status of "zone restricted merchandise" which is entered for consumption from a fair is subject to the provisions of paragraph 1615 (f) of the Tariff Act of 1930, as amended.

(e) Any article entered under the regulations in this part which has not been entered under a provision of the customs laws or for another fair, exported, or transferred to other customs custody status or to a foreign-trade zone, or which has not been abandoned to the Government or destroyed under customs supervision, before the expiration of three months after the close of the fair (including extension) shall be regarded as abandoned to the Government. Such article shall be subject to sale or destruction and the proceeds of sale disposed of in the manner provided in sections 491, 492, and 493, of the Tariff Act of 1930, as amended, and the regulations promulgated thereunder. Any duties or internal-revenue taxes on such article shall be computed on the basis of its condition and quantity at the time it becomes subject to sale.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

Approved: April 22, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3610; Filed, Apr. 28, 1959;
8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of Thiram

A petition was filed with the Food and Drug Administration by E. I. du Pont de Nemours and Company, Wilmington, Delaware, requesting the establishment

of tolerances for residues of thiram in or on peaches and strawberries.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7(g); 23 F.R. 6403), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.132; 23 F.R. 6403) are amended by changing § 120.132 to read as follows:

§ 120.132 Tolerances for residues of thiram.

A tolerance of 7 parts per million is established for residues of thiram (tetramethyl thiuram disulfide) in or on each of the following raw agricultural commodities: Apples, peaches, strawberries, tomatoes.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: April 22, 1959.

[SEAL]

JOHN L. HARVEY,
*Deputy Commissioner
of Food and Drugs.*

[F.R. Doc. 59-3589; Filed, Apr. 28, 1959;
8:45 a.m.]

SUBCHAPTER C—DRUGS

PART 146c — CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

Tetracycline-Novobiocin for Oral Suspension

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as

amended; sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045; 23 F.R. 9509), the regulations for certification of antibiotic and antibiotic-containing drugs (21 CFR 146c.239 (23 F.R. 3146)) are amended by deleting the last sentence of paragraph (c) in § 146c.239 Tetracycline-novobiocin for oral suspension.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendment included in this order.

Effective date. This order shall become effective on the date of publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: April 22, 1959.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 59-3612; Filed, Apr. 28, 1959;
8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER D—MILITARY RESERVATIONS AND NATIONAL CEMETERIES

PART 554—EXCHANGE SERVICE

Part 554, containing rules and regulations governing exchange service on army installations, is prescribed, as follows:

| | |
|--------|-----------------------------------|
| Sec. | |
| 554.1 | Purpose and scope. |
| 554.2 | Definitions. |
| 554.3 | Authority. |
| 554.4 | Objectives. |
| 554.5 | Organization. |
| 554.6 | Legal status. |
| 554.7 | Term "PX", etc. |
| 554.8 | Authorized activities. |
| 554.9 | Procurement. |
| 554.10 | Credit sales. |
| 554.11 | Exchange personnel. |
| 554.12 | Patronage. |
| 554.13 | Privileges at domestic exchanges. |
| 554.14 | Privileges at oversea exchanges. |
| 554.15 | Identification. |

AUTHORITY: §§ 554.1 to 554.15 issued under section 3012, 70A Stat. 157; 10 U.S.C. 3012.

SOURCE: AR 60-10, February 27, 1959; AR 60-20, February 27, 1959.

§ 554.1 Purpose and scope.

The regulations of this part govern the provision of exchange service within the Army and Air Force and are applicable worldwide except where specifically indicated otherwise. Department of the Army and Department of the Air Force publications contain additional guidance, procedures, and operating policies to be followed in supervision and operation of the Army and Air Force exchanges.

§ 554.2 Definitions.

(a) *Exchange service.* Exchange service is the provision to authorized patrons of merchandise and services of necessity and convenience not furnished from Federal appropriations.

(b) *Dependent.* (1) A lawful wife.

(2) A lawful husband, provided that the husband is in fact dependent upon his wife for over half of his support.

(3) Children at least 21 years of age, unmarried, legitimate (including an adopted child or stepchild) who are, (i) incapable of self-support because of a mental or physical handicap, and who are in fact dependent for over half of their support, or (ii) have not passed their 23d birthday and are enrolled in a full-time course of study at an accredited educational institution above high-school level and who are in fact dependent for half of their support.

(4) Stepchildren and adopted children who are unmarried, under 21 years of age, and in fact dependent for over half of their support.

(5) Children who are legitimate, unmarried, and under 21 years of age.

(6) Parents, including father, mother, stepparent, and parent by adoption who are dependent for over half of their support.

(c) *Reserve components.* The National Guard of the United States; the Army Reserve; the Air National Guard of the United States; the Air Force Reserve; the Naval Reserve, including the Fleet Reserve; the Marine Corps Reserve, including the Fleet Marine Corps Reserve; the Coast Guard Reserve; and reserve components of the Public Health Service.

(d) *Retired personnel.* All personnel carried on the official retired lists of the Uniformed Services, as defined in paragraph (g) of this section; members of the Fleet Reserve and Fleet Marine Corps Reserve; nonregular personnel of the Army and Air Force retired for physical disability pursuant to the Act of April 3, 1939 (sec. 5, 53 Stat. 557; 10 U.S.C. 3687 and 3687), personnel of the Navy retired pursuant to the Act of August 27, 1940 (sec. 4, 54 Stat. 864; 10 U.S.C. 6148), persons granted retired pay under chapter 67 of Title 10, United States Code; personnel retired pursuant to chapter 61 of Title 10, United States Code; Army and Air Force personnel retired pursuant to section 3911 or 8911 of Title 10, United States Code; Navy personnel retired pursuant to section 6323 of Title 10, United States Code; personnel of the Emergency Officers Retired Lists of the Army, Navy, Air Force, and Marine Corps who have been retired pursuant to the Act of May 24, 1928 (45 Stat. 735; 38 U.S.C. 581); retired officers and crews of vessels of the former Lighthouse Service, retired lightkeepers and depot keepers of the former Lighthouse Service.

(e) *Special exchange activities.* All authorized exchange outlets except the retail store, the automobile garage and service station, and the grocery section.

(f) *Uniformed personnel.* All members of the uniformed service who are on extended active duty with such services; and members of the Reserve com-

ponents while undertaking active duty for training.

(g) *Uniformed services.* Unless otherwise qualified, includes the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

(h) *Widows.* Unremarried widows of the following: Members of the Uniformed services, as defined in paragraph (g) of this section, who die while on extended active duty; members of the Reserve components, as defined in paragraph (c) of this section, who died while on active duty for training; and retired personnel as defined in paragraph (d) of this section.

§ 554.3 Authority.

The Secretary of Defense has vested in the Secretary of the Army and the Secretary of the Air Force, jointly and co-equally, all functions, powers, and duties relating to exchange service activities within their respective departments.

§ 554.4 Objectives.

It is the purpose of the Secretary of the Army and the Secretary of the Air Force to provide a centrally governed and jointly operated worldwide exchange service to accomplish the following objectives:

(a) Adequate and substantially uniform exchange services to meet the needs of the Army and the Air Force.

(b) Lowest possible prices substantially uniform worldwide.

(c) Reasonable profits as are determined necessary to supplement appropriated funds for the support of Army and Air Force welfare and recreational programs.

(d) Joint Service participation in the use of funds, inventory, personnel, and facilities, and in the organization of operating elements on a geographical basis.

(e) Maximum management efficiency through the application of modern business methods, uniform operational and fiscal controls, and optimum use of combined resources.

(f) A soundly financed, flexible exchange service organization responsive to command and logistic requirements, in both peace and war.

(g) Maximum coordination in the provision of procurement, warehousing, inventory control, and distribution services to avoid uneconomical duplication of these activities.

§ 554.5 Organization.

The Army and Air Force Exchange Service (A&AFES) is the entity embracing the activities, personnel, property, and nonappropriated funds through which exchange service is provided within the Army and the Air Force.

(a) The Board of Directors, Army and Air Force Exchange and Motion Picture Services (Board of Directors) is responsible to the Secretary of the Army and the Secretary of the Air Force through the respective Chiefs of Staff for directing the A&AFES.

(b) The Chief, A&AFES, acting for the Board of Directors, develops uniform operating policies, plans, programs, and

procedures and, with his staff and field offices, administers the A&AFES.

(c) Army and Air Force major commanders are responsible for the establishment, operation, and command supervision of exchanges within their respective commands in accordance with Departmental directives.

(d) The establishment of an exchange is authorized at installations where military personnel are present and assigned for duty. An exchange may be established at a location other than an installation upon approval of the Department concerned if military personnel are present and assigned to duty at that location.

(e) Within the Continental United States, an exchange is established to serve one or more installations or a geographical area, which may involve one or more commanders. The exchange activities of two or more separate installations, Army or Air Force, may, by agreement between the commanders concerned, be combined in a parent-satellite relationship and operated as a single exchange.

(f) In overseas areas, an exchange system is established to serve a command or geographical area. Unless otherwise authorized by a Board of Directors, Army and Air Force personnel within a designated geographical area will be served by a single exchange system operated as a joint activity and governed by an area council responsible to the respective Army and Air Force component commanders. The area council will be composed of equal Army and Air Force representation and the council chairmanship will alternate between the two Services.

§ 554.6 Legal status.

The A&AFES is an instrumentality of the United States entitled to the immunities and privileges available to the departments and agencies of the Federal Government under the Federal Constitution and statutes and under international treaties, conventions, and administrative agreements. The United States is not responsible for contract, tort, and compensation claims against the A&AFES and has not waived its immunity from suit on those claims. Any claim arising out of the activities of the A&AFES shall be payable solely from nonappropriated funds.

§ 554.7 Term "PX," etc.

The Army and the Air Force possess a common-law property right in the trade names "PX," "Post Exchange," "Base Exchange," "Army Exchange," "Air Force Exchange," and any combination of these terms. This right has arisen out of constant usage over a long period of time. Any infringement of this right, e.g., use of the terms by any unauthorized person, will be reported to the Chief, A&AFES, for appropriate action.

§ 554.8 Authorized activities.

All authorized revenue-producing activities will be operated by the A&AFES except:

(a) Army and Air Force motion picture theaters.

(b) Incidental income-producing activities conducted by welfare and sundry funds.

(c) Book departments.

(d) Post restaurants.

(e) Vocational training-fund activities in United States disciplinary barracks.

(f) Publication of magazines, newspapers, and similar periodicals.

§ 554.9 Procurement.

(a) Merchandise will neither be received nor held under any agreement which stipulates that payment for it will be made after sale.

(b) Stateside procurement of merchandise, equipment, and supplies of United States origin for overseas exchanges will be accomplished only through the Chief, A&AFES.

§ 554.10 Credit sales.

Credit sales are authorized only as follows:

(a) Articles of the uniform may be sold on a deferred-payment basis under prescribed procedures to commissioned officers, warrant officers, and enlisted personnel of the highest five pay grades.

(b) Articles of the uniform may be sold on an open account, limited to the amount of the uniform allowances, to prospective graduates of the United States Military academies, aviation cadet flight-training schools, and officer candidate schools.

(c) Organizations and nonappropriated fund activities authorized to buy at exchanges may be permitted to buy on open account.

(d) Credit cards issued by oil companies to authorized exchange patrons may be honored at exchange service stations for products marketed by those companies.

(e) Collection for laundry and dry-cleaning services provided under concession and agency agreements, in which pickup and delivery to quarters is an integral part of each transmission, may be deferred. Payment will be made for these charges without unreasonable delay. All responsibility for such deferred charges will be assumed by the concessionaire or supplier.

§ 554.11 Exchange personnel.

The A&AFES will be staffed with civilian personnel paid from A&AFES nonappropriated funds, with Army and Air Force officers in executive control. Policies and procedures governing the administration of the A&AFES civilian employees will be in accordance with the objectives of the Act of June 19, 1952 (5 U.S.C. 150k-1) and basic policies approved by the Board of Directors, and will be published in appropriate Departmental directives.

§ 554.12 Patronage.

The exchange patronage privilege will be limited in accordance with the regulations of this part. Installation commanders will take appropriate disciplinary action and will revoke exchange privileges in the case of any patrons who purchase exchange merchandise for purpose of resale or for the production of income. The purchase of merchandise as

a matter of economy, convenience, or necessity by an authorized patron for another authorized patron without profit is permitted.

§ 554.13 Privileges at domestic exchanges.

(a) *Patrons entitled to unlimited privileges.* The following patrons and organizations will be entitled to all exchange privileges.

(1) All uniformed personnel and their dependents, as defined in § 554.2(b) and (f).

(2) Officers and enlisted men of the Armed Forces of foreign nations, when on duty with the United States Armed Forces under competent orders issued by the Army, Navy, Air Force or Marine Corps, and their dependents as defined in § 554.2(b). However, purchase of items of uniform will be limited by the provisions of pertinent Army regulations.

(3) Official organizations or activities of the United States Armed Forces which are composed of personnel on active military duty.

(4) Government departments or agencies outside the Department of Defense, when it is determined that the desired supplies or services cannot be conveniently obtained elsewhere, and when the supplies or services can be furnished without unduly impairing the service to exchange patrons.

(5) Widows, as defined in § 554.2(h).

(6) Contract surgeons during the period of their contract.

(7) All retired personnel and their dependents, as defined in § 554.2 (b) and (d).

(8) Paid uniformed personnel of the Red Cross assigned to duty within an activity of the United States Armed Forces.

(9) Officers and enlisted men of the Armed Services of foreign nations when visiting a United States installation, except that merchandise sold to those personnel will be restricted to quantities required for their personal use and sale of items of uniform will be governed by the provisions of pertinent Army regulations.

(b) *Patrons entitled to limited privileges.* The persons described below will be entitled to limited privileges as follows:

(1) To all exchange privileges except purchases of articles of the uniform:

(i) Honorably discharged veterans of the uniformed services as defined in § 554.2(g), when hospitalized where exchange facilities are available.

(ii) Honorably discharged veterans of the uniformed services, as defined in § 554.2(g), who are totally disabled and who are receiving medical care and treatment in a hospital or a private domicile through the Veterans Administration while undergoing that care and treatment.

(iii) Exchange employees.

(iv) Civilian employees of the Government residing within the limits of an installation, upon determination by the responsible commander that comparable commercial facilities are not conveniently available and upon authorization by the Secretary of the Department concerned.

(2) To purchase in quantities required for their personal use, certain merchandise, other than the articles of the uniform, and to the privileges of special exchange activities as defined in § 554.2 (e): Civilian employees of the Department of Defense in temporary duty status and Contract Technical Services personnel in a travel status, when occupying Government quarters on a military installation. These individuals will be identified by means of official travel orders or a letter of authorization issued by the responsible commander and evidence that they are occupying Government quarters on the installation.

(3) To the privilege of the fountain, snack bar, and restaurant when determined by the responsible commander that those facilities are not conveniently available from other sources:

(i) Uniformed and nonuniformed personnel working in recognized welfare service organization offices within an activity of the armed services.

(ii) Civilian employees of the Government residing within the limits of, or working on, an installation.

(iii) Visitors.

(4) Students within the Army and Air Force Reserve Officers' Training Corps program will be entitled to purchase articles of uniform and uniform accessories within the 3-month period prior to graduation when the students are satisfactorily identified.

(5) (i) Members of the Civil Air Patrol will be entitled to purchase articles of uniform, authorized for wear by Civil Air Patrol directives and approved as reflected by Air Force regulations, and shall be identified by the official Civil Air Patrol membership card.

(ii) Members of the Civil Air Patrol, when in a temporary duty status and occupying Government quarters on a military installation, are authorized to purchase, in quantities required for their personal use, certain merchandise, and are entitled to the privileges of the special exchange activities as defined in § 554.2(e). Such personnel will be identified by means of their Civil Air Patrol membership card, Civil Air Patrol travel orders and proper evidence that they are occupying Government quarters on the installation.

(c) *Members of Reserve components.* Members of the Reserve components, as defined in § 554.2(c), are entitled to the following exchange privileges:

(1) Members of Reserve components on extended active duty and active duty for training are entitled to all exchange privileges.

(2) Members of Reserve components undertaking inactive-duty training will be entitled, while proceeding directly to, during or returning directly from actual training, to purchase certain merchandise, and to the privileges of special exchange activities as defined in § 554.2(e).

(3) Members of Reserve components not on extended active duty, active duty for training, or inactive duty training will be entitled to purchase necessary articles of uniform clothing, accoutrements, and equipment, in the quantities that would be required immediately upon call to active duty.

§ 554.14 Privileges at overseas exchanges.

The following persons may be authorized exchange privileges by overseas commanders consistent with international agreements of the United States and other restrictions that the overseas commanders consider necessary to impose.

(a) Personnel of the Armed Forces of the United States.

(b) Civilian employees of the Department of Defense, including those paid from nonappropriated funds.

(c) Allied military and naval personnel stationed or traveling in the command on competent orders.

(d) Specific categories of personnel or organizations authorized by the responsible commander when determined to be in the interests of the mission of the command concerned.

(e) Dependents of personnel specified in paragraphs (a), (b), (c), and (d), of this section.

§ 554.15 Identification.

Responsible commanders will insure that no sales are made by exchanges without proper identification.

(a) Oversea commanders will designate the means of identification required of the authorized patrons of the overseas exchanges under their jurisdiction.

(b) Authorized patrons at Continental United States exchanges will be identified as follows:

(1) Members of the uniformed services who are in complete regulation uniform may be identified by that uniform.

(2) Members of the uniformed services not in complete regulation uniform while on extended active duty will be identified by the official United States Armed Forces identification card or an official identification card issued by the applicable service.

(3) Members of Reserve components not in complete regulation uniform will be identified by the Armed Forces identification card issued to reservists by the uniformed services. In addition:

(i) Members of Reserve components on active duty for training must produce competent orders indicating that they are in that status in order to obtain unlimited exchange privileges.

(ii) Members of Reserve components while undergoing inactive-duty training must produce competent orders indicating they are undertaking that training at the time of purchases in order to be entitled to the exchange privileges.

(iii) Orders promulgated by the adjutant general or comparable official of any State or Territory, or by the Commanding General, D.C. National Guard, will be considered competent orders for National Guard and Air National Guard personnel for the purpose of subdivision (i) of this subparagraph.

(iv) Written notice of assembly from unit commanders of Reserve component units will be considered competent orders for the purpose of subdivision (ii) of this subparagraph.

(v) Members of Reserve components need only the Armed Forces identification card in order to purchase from exchanges the articles described in § 554.13 (c) (3).

(4) Retired personnel of the uniformed services will be identified by the Uniformed Services Identification and Privilege Card (DD Form 1173). However, all persons who are designated "Honorary retired" or "Honorary Reserve retired" are not considered retired personnel (§ 554.2(d)) for the purpose of exchange privileges.

(5) Except as indicated in subparagraphs (6) and (7) of this paragraph, all other authorized patrons will be identified by means of DD Form 1173.

(6) Patrons described in § 552.13(b) (2), (4), and (5) will be identified as indicated in that section. Patrons entitled only to the privileges of the fountain, snack bar, and restaurant (§ 554.13 (b) (3)) will not be required to present an identification card for the use of those facilities.

(7) Authorized patrons, other than those referred to in subparagraphs (1) through (6) of this paragraph, to whom DD Form 1173 may not be issued, will be identified by a letter of authorization which will be issued by the responsible commander. The letter of authorization will identify the patron, will indicate the nature and duration of patron's exchange privileges, and will be countersigned by the patron.

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-3586; Filed, Apr. 28, 1959;
8:45 a.m.]

Title 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

[General Order 22, Rev., Amdt. 4]

PART 282—UNIFORM SYSTEM OF ACCOUNTS FOR OPERATING-DIFFERENTIAL SUBSIDY CONTRACTORS

Miscellaneous Amendments

Sections 282.165 and 282.364 are amended as follows:

1. Cancel paragraph (a) of § 282.165 and substitute the following provisions in lieu thereof:

§ 282.165 Accounts receivable; miscellaneous.

(a) This account shall include all accounts receivable from other than related companies for which no other account is specifically provided, and all amounts receivable from officers and employees which are collectible in the ordinary course of business within one year.

2. Cancel the first sentence of the text of § 282.364 and substitute the following provisions in lieu thereof:

§ 282.364 Notes and accounts receivable from officers and employees.

This account shall include all amounts due from officers, directors, and employees other than (a) unpaid subscrip-

tions to capital stock, and (b) amounts collectible in the ordinary course of business within one year. * * *

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: February 18, 1959.

By order of the Maritime Administrator.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-3615; Filed, Apr. 28, 1959;
8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER C—CARRIERS BY WATER

[No. 32451]

PART 323—UNIFORM SYSTEM OF ACCOUNTS FOR MARITIME CARRIERS

Miscellaneous Amendments

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 15th day of April A.D. 1959.

Having under consideration the matter of modifying the system of accounts for maritime carriers pursuant to the provisions of section 313 (c), Interstate Commerce Act as amended, and,

It appearing that a notice of proposed rule making was issued March 6, 1959, and published in the FEDERAL REGISTER on March 14, 1959 (24 F.R. 1871) by the terms of which any interested person could on or before April 10, 1959, submit written views or arguments concerning the modifications to the system of accounts, details of which were attached to the notice, and consideration having been given to all views, arguments and other representations which were timely filed in response to the notice of March 6, 1959;

It is ordered, That effective June 1, 1959, the Uniform System of Accounts for Maritime Carriers be, and it is hereby, modified as follows:

(1) In § 323.165 *Accounts receivable; miscellaneous*, cancel paragraph (a) and substitute the following provisions in lieu thereof:

(a) This account shall include all accounts receivable from other than related companies for which no other account is specifically provided, and all amounts receivable from officers and employees

which are collectible in the ordinary course of business within one year.

(2) In § 323.364 *Notes and accounts receivable from officers and employees*, cancel the first sentence of the text and substitute the following provisions in lieu thereof: "This account shall include all amounts due from officers, directors, and employees other than (a) unpaid subscriptions to capital stock, and (b) amounts collectible in the ordinary course of business within one year."

And, it is further ordered, That this order shall be served on each maritime carrier subject to its provisions and each lessor thereof, and on every trustee, receiver, executor, administrator, or assignee of such maritime carrier or lessor, and that notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing the order with the Director, Federal Register Division.

(54 Stat. 946, 49 U.S.C. 916(a); 54 Stat. 944 as amended, 49 U.S.C. 913(c))

By the Commission, division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-3606; Filed, Apr. 28, 1959;
8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 6]

MIGRATORY BIRDS

Notice of Proposed Rule Making

Pursuant to section 4(a) of the Administrative Procedure Act approved June 11, 1946 (60 Stat. 237), notice is hereby given that the Director, Bureau of Sport Fisheries and Wildlife, proposes to recommend the adoption by the Secretary of the Interior, under authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), of amendments to Part 6, Title 50, Code of Federal Regulations, which will specify open seasons, certain closed seasons, hunting methods, shooting hours, and bag limits for migratory game birds.

The proposed amendments specifying open seasons and bag limits for migratory game birds, except waterfowl, coots and Wilson's snipe (but including scoter, eider and old-squaw ducks in open coastal waters beyond outer harbor lines in certain North Atlantic Coastal States and waterfowl, coots and Wilson's snipe in Alaska), and those relating to other matters will be proposed for final adoption not later than August 1, 1959, to become effective September 1, 1959. Proposed amendments specifying open seasons, bag limits, and shooting hours for other waterfowl, coots and Wilson's snipe

will be proposed for adoption not later than September 1, 1959, to become effective not later than October 1, 1959.

On the basis of final decisions to be reached at the conclusion of studies now in progress and having given due consideration to any views or data submitted by interested parties, the said Director may recommend the adoption by the Secretary of other amendments to Part 6. At the present time consideration is being given to recommending adoption of such amendments to accomplish the following purposes:

§ 6.6 [Amendment]

1. Section 6.6(a) would be amended to read:

(a) Except for mourning and white-winged doves, if such birds are dressed, the head, head plumage, and feet must remain attached in such manner as to permit identification of their species while being transported between the place where taken and the location where such birds are to be consumed or refrigerated, smoked, or otherwise preserved.

2. Section 6.11 would be amended by changing the headnote and text to read:

§ 6.11 Possession of live migratory game birds.

No person shall possess or transport any live migratory game birds taken by hunting after September 1, 1959.

Interested persons are hereby afforded an opportunity to participate in preparation of the amended regulations to be

adopted as set forth above, by submitting their views, data or arguments in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., on or before June 1, 1959.

Issued in Washington, D.C. and dated April 27, 1959.

D. H. JANZEN,
Director, Bureau of
Sport Fisheries and Wildlife.

[F.R. Doc. 59-3608; Filed, Apr. 28, 1959;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[7 CFR Part 318]

TERRITORIAL QUARANTINE NOTICES

Notice of Public Hearing on Quarantining Guam on Account of Certain Insects and Plant Diseases and Other Plant Pests, and Notice of Proposed Rule Making Relating to a Guam Quarantine and Supplemental Regulations

The Administrator of the Agricultural Research Service has information that there occur in Guam dangerous insect infestations and plant diseases new to and not heretofore widely prevalent or distributed within and throughout the United States, including, among others: *Icerya aegyptiaca* (Dougl.), *Xanthomonas citri* (Hasse) Dowson, *Aleurocanthus*

spiniferus (Q.), *Phyllocnistis citrella* (Stainton), *Coccus viridis* (Green), *Anomala sulcatula* Burm., *Furcaspis oceanica* Ldgr., *Stephanoderes hampei* (Ferr.), *Pectinophora scutigera* (Holdaway), *Dacus dorsalis* Hend., *Dacus cucurbitae* (Coq.), *Maruca testulalis* (Geyer), *Lampides boeticus* (L.), *Prays endocarpa* Meyr., *Prodenia litura* (F.), *Euscepes postfasciatus* (Fairm.), *Earias fabia* (Stoll), *Elsinoe batatas* (Saw.) Viegas and Jenkins, *Uredo dioscoreae-alatae* Rac., *Cercospora batatae* Zimm., *Coniothyrium* sp., *Phyllosticta colocasiophila* Weed., *Xanthomonas vasculorum* (Cobb) Dowson, *Rhabdoscelus obscurus* (Boisd.), *Neomaskellia bergii* (Sign.) Pyrausta nubilalis (Hbn.), *Physoderma zeae-maydis* Shaw, *Leptocoris acuta* (Thunb.), *Adoretus sinicus* Burm., and *Holotrichia mindanaona* Brenske, as well as other plant pests.

Notice is hereby given that it is proposed under the authority of section 8 of the Plant Quarantine Act of 1912, as amended and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 150ee), to quarantine Guam and to prohibit or restrict the movement from Guam into or through any other State, Territory, or District of the United States of plants and all parts thereof capable of propagation; seeds; fruits and vegetables; cotton and cotton covers; sugarcane and parts and by-products thereof; cereals; cut flowers; and packing materials; as such articles are defined in proposed regulations appearing herewith to supplement a quarantine, should such a quarantine be found warranted.

A public hearing will be held before a representative of the Agricultural Research Service in Room 3115 of the South Agricultural Building of the U.S. Department of Agriculture, 14th Street and Independence Avenue, Washington, D.C., at 10 a.m., June 30, 1959, at which hearing any interested person may appear and be heard, either in person or by attorney, on the proposals. Any interested person who desires to submit written data, views, or arguments on the proposals may do so by filing the same with the Director of the Plant Quarantine Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., on or before June 30, 1959, or with the presiding officer at the hearing.

Further, notice is hereby given under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that if it is determined, after hearing, that Guam should be quarantined as proposed, the Administrator of the Agricultural Research Service is considering issuing a notice of quarantine and supplemental regulations to appear in a new subpart in 7 CFR Part 318 substantially as follows:

Subpart—Guam

QUARANTINE

§ 318.82 Notice of quarantine.

(a) Pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162) and section 106 of the Federal Plant Pest Act (7 U.S.C. Supp. V, 150ee), and after public

hearing, it has been determined that it is necessary to quarantine Guam to prevent the spread to other parts of the United States of dangerous insect infestations and plant diseases, which are new to or not heretofore widely prevalent or distributed within and throughout the United States, including, among others: *Icerya aegyptiaca* (Dougl.), *Xanthomonas citri* (Hasse) Dowson, *Aleurocanthus spiniferus* (Q.), *Phyllocnistis citrella* (Stainton), *Coccus viridis* (Green), *Anomala sulcatula* Burm., *Furcaspis oceanica* Ldgr., *Stephanoderes hampei* (Ferr.), *Pectinophora scutigera* (Holdaway), *Dacus dorsalis* Hend., *Dacus cucurbitae* (Coq.), *Maruca testulalis* (Geyer), *Lampides boeticus* (L.), *Prays endocarpa* Meyr., *Prodenia litura* (F.), *Euscepes postfasciatus* (Fairm.), *Earias fabia* (Stoll), *Elsinoe batatas* (Saw.) Viegas and Jenkins, *Uredo dioscoreae-alatae* Rac., *Cercospora batatae* Zimm., *Coniothyrium* sp., *Phyllosticta colocasiophila* Weed., *Xanthomonas vasculorum* (Cobb) Dowson, *Rhabdoscelus obscurus* (Boisd.), *Neomaskellia bergii* (Sign.), *Pyrausta nubilalis* (Hbn.), *Physoderma zeae-maydis* Shaw, *Leptocoris acuta* (Thunb.), *Adoretus sinicus* Burm., and *Holotrichia mindanaona* Brenske, as well as other plant pests, and Guam is hereby quarantined because of such insect infestations and diseases and other plant pests, and regulations are prescribed in this subpart governing the movement of carriers of these pests.

(b) No plants or parts thereof capable of propagation; seeds; fruits or vegetables; cotton or cotton covers; sugarcane or parts or by-products thereof; cereals; cut flowers; or packing materials; as such articles are defined in regulations supplemental hereto, shall be shipped, deposited for transmission in the mail, offered for shipment, received for transportation, carried, otherwise transported or moved, or allowed to be moved, by mail or otherwise, by any person from Guam into or through any other State, Territory, or District of the United States, in any manner or method or under conditions other than those prescribed in the regulations, as from time to time amended: *Provided*, That whenever the Director of the Plant Quarantine Division shall find that existing conditions as to the pest risk involved in the movement from Guam of the articles designated herein, make it safe to modify, by making less stringent, the restrictions contained in any regulations in this subpart or in any other subpart in this chapter made applicable thereto by this subpart, he shall publish such findings in administrative instructions, specifying the manner in which the regulations should be made less stringent with respect to such movement, whereupon such modification shall become effective; or he may, when the public interests will permit in specific cases, upon notification to the consignor and to the consignee, authorize the interstate movement from Guam of the articles to which such regulations apply, under conditions that are less stringent than those contained in the regulations.

REGULATIONS

§ 318.82-1 Definitions.

Words used in the singular form in this subpart shall be deemed to import the plural and vice versa, as the case may demand. For the purposes of this subpart, unless the context otherwise requires, the following words shall be construed, respectively, to mean:

(a) *Plants*. Trees, shrubs, vines, cuttings, grafts, scions, buds, herbaceous plants, bulbs, roots, and other plants and plant parts intended for propagation.

(b) *Seeds*. The mature ovular bodies produced by flowering plants, containing embryos capable of developing into new plants by germination.

(c) *Fresh fruits and vegetables*. The edible, more or less succulent, portions of food plants in the raw or unprocessed state.

(d) *Cotton and cotton covers*. Any parts or products of plants of the genus *Gossypium*, including seed cotton; cottonseed; cotton lint, linters, and other forms of cotton fiber (not including yarn, thread, and cloth); cottonseed hulls, cake, meal, and other cottonseed products except oil; cotton waste, including gin waste and thread waste; and any other unmanufactured parts of cotton plants; and secondhand burlap and other fabrics, shredded or otherwise, which have been used, or are of the kinds ordinarily used, for containing cotton, grains (including grain products), field seeds, agricultural roots, rhizomes, tubers, or other underground crops.

(e) *Sugarcane or parts or by-products thereof*. Stems of sugarcane (*Saccharum* spp.), or cuttings or parts thereof, sugarcane leaves, or bagasse or other parts of sugarcane plants, except seeds, not sufficiently processed to remove plant pest danger.

(f) *Cereals*. Seed and other plant parts of all members of the grass family (Gramineae) which yield grain or seed suitable for food, including, but not limited to, wheat, rice, corn and related plants. This definition shall include straw, hulls, chaff and products of the milling process (but excluding flour) of such grains and seeds as well as stalks and all other parts of broomcorn.

(g) *Cut flower*. The highly perishable commodity known in the commercial flower-producing industry as a cut flower, and being the severed portion of a plant, including the inflorescence, and any parts of the plant attached thereto, in a fresh state.

(h) *Packing materials*. Any plant or plant product, or soil as defined in § 330.100(b) of this chapter, or other substance associated with or accompanying any commodity or shipment to serve for filling, wrapping, ties, lining, mats, moisture retention, protection, or any other auxiliary purpose. The word "packing," as used in the expression "packing materials," shall include the presence of such materials within, in contact with, or accompanying such commodity or shipment.

(i) *Administrative instructions*. Published documents relating to the enforcement of the regulations in this subpart,

issued under the authority of such regulations by the Director of the Plant Quarantine Division.

(j) *State, Territory, or District of the United States.* Guam, Hawaii, Puerto Rico, the Virgin Islands of the United States, or the continental United States (including Alaska).

(k) *United States.* The States, the District of Columbia, Guam, Hawaii, Puerto Rico, and the Virgin Islands of the United States.

(l) *Oceania.* The islands of the Central and South Pacific, including Micronesia, Melanesia, and Polynesia, as well as Australia, New Zealand, and the Malay Archipelago.

(m) *Far East.* The countries of East and Southeast Asia, including Japan, Korea, Taiwan, the northeastern provinces of Manchuria, the Philippines, Indo-China, and India.

§ 318.82-2 Movement of regulated articles.

(a) Plants, plant products, and other articles designated in § 318.82 may be moved from Guam into or through any other State, Territory, or District of the United States only if, in the case of articles other than soil, they meet the strictest plant quarantine requirements for similar articles offered for entry into such State, Territory, or District from Oceania or the Far East under Parts 319 or 321 of this chapter, except requirements for permits, foreign inspection certificates, notices of arrival, and notices of shipment from port of arrival, and in the case of soil if it meets the requirements of § 330.300 of this chapter. If such similar

articles cannot be imported into the particular State, Territory, or District from Oceania or the Far East under either Part 319 or Part 321 of this chapter, the interstate movement of the articles from Guam into or through such State, Territory or District shall be similarly prohibited. Plants, plant products, and other articles moved from Guam into or through any other State, Territory or District of the United States shall be subject to inspection at the port of first arrival in another part of the United States to determine whether they are free of plant pests and otherwise meet the requirements applicable to them under this subpart, and shall be subject to release, in accordance with § 330.105 (a) of this chapter as if they were foreign arrivals. Such articles shall be released only if they meet all applicable requirements under this subpart.

(b) A release may be issued orally by the inspector when inspection of small quantities of regulated articles is involved except that a release issued in specific cases pursuant to the proviso in § 318.82 shall be in writing.

(c) The appropriate provisions of Part 352 of this chapter are hereby made applicable to the safeguarding of regulated articles from Guam temporarily in parts of the United States, other than Guam, when landing therein is not intended or landing has been refused in accordance with this subpart. The movement of plant pests, means of conveyance, plants, plant products, and other products and articles from Guam into or through any other State, Territory, or District is also regulated by Part 330 of this chapter.

§ 318.82-3 Costs.

All costs incident to the inspection, handling, cleaning, safeguarding, treating, or other disposal of products or articles under this subpart, except for the services of an inspector during regularly assigned hours of duty and at the usual places of duty, shall be borne by the owner.

The purpose of the proposed quarantine and supplemental regulations is to prevent the spread of dangerous insect infestations, plant diseases, and other plant pests from Guam, where they are known to occur, to other parts of the United States. The proposed regulations would provide methods, when feasible, whereby host material may be treated or otherwise made eligible for interstate movement from Guam.

All persons who desire to submit written data, views, or arguments in connection with the proposed quarantine and supplemental regulations should file the same with the Director of the Plant Quarantine Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., on or before June 30, 1959, or with the presiding officer at the hearing provided for above.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 32; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

Done at Washington, D.C., this 24th day of April 1959.

[SEAL]

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 59-3623; Filed, Apr. 28, 1959; 8:50 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[474.86]

ARTICLES COMPOSED OF SYNTHETIC FIBER BRAID USED IN MAKING CHIGNONS OR HAIR ROLLS

Notice of Change of Classification

APRIL 22, 1959.

The Bureau of Customs published a notice in the *FEDERAL REGISTER* dated January 3, 1959, that there was under review the practice of classifying certain doughnut shaped articles composed of synthetic fiber braid and used in putting up chignons or hair rolls under paragraph 1529(a)(11), *Tariff Act of 1930*, as articles in part of braids not suitable for making or ornamenting bonnets, hats, or hoods, but not in part of lace and not ornamented, dutiable at the rate of 42½ percent ad valorem under that paragraph, as modified. Evidence presented to the Bureau shows that this braid is used in making and ornamenting

hats. Accordingly, the Bureau by its letter to the collector of customs at New York, New York, dated April 22, 1959, ruled that these articles are properly classifiable under paragraph 1529(a)(15) as articles wholly or in part of a product provided for in paragraph 1529(a), namely, braid suitable for making or ornamenting bonnets, hats, or hoods, but not described elsewhere in paragraph 1529(a), dutiable at the rate of 50 percent ad valorem under that paragraph, as modified.

As this ruling will result in the assessment of duty at a higher rate than has heretofore been assessed under a uniform and established practice, it shall be applied to such or similar merchandise only when entered, or withdrawn from warehouse, for consumption after 90 days after the date of publication of an abstract of this decision in the weekly *Treasury Decisions*.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

[F.R. Doc. 59-3611; Filed, Apr. 28, 1959; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Portland Area Office Redesignation Order 1, Amdt. 8]

AUTHORITY OF SPECIFICALLY DESIGNATED EMPLOYEES

Functions Relating to Forest and Range Management

SEC. 3.230 *Timber contracts and modifications.* The Assistant Superintendent, Umatilla Sub-Agency may approve contracts covering sales of timber having a stumpage value not exceeding \$500 and contracts covering individual allotments executed under authority of an approved general contract.

H. L. MOORE,
Acting Area Director.

Approved: April 23, 1959.

GLENN L. EMMONS,
Commissioner.

[F.R. Doc. 59-3590; Filed, Apr. 28, 1959; 8:46 a.m.]

Bureau of Land Management

[Classification 21]

COLORADO

Small Tract Classification; Amendment
Small Tract Opening

1. Effective immediately the word "disposition" in paragraph 1 of FEDERAL REGISTER Document 58-9427, appearing on page 8874 of the issue for November 14, 1958, is hereby amended to read "lease and sale for residence sites".

2. Pursuant to authority delegated to me by the Colorado State Supervisor of the Bureau of Land Management, effective February 19, 1958 (23 F.R. 1098), I hereby open the following described lands which were classified by Classification Order No. 21, appearing in 23 F.R. 8874, and amendment thereto appearing as Federal Register Document 58-9992 in the issue for December 3, 1958 at page 9355, to Small Tract Application by the filing of veteran's drawing entry card, under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, and the Act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 S., R. 78 W.

Sec. 17, $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing approximately 75 acres subdivided into 19 small tracts; the $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ is in an application from a person entitled to preference under 43 CFR 257.5(a). If the applicant complies with the regulations, this tract will not be subject to the drawing.

3. The lands are located about 7 miles south of Parshall, Colorado. Parshall is on U.S. Highway 40, about 115 miles from Denver. Roads from Kremmling or Parshall to the upper end of the Denver Reservoir and a road along the east side of the Williams Fork River lead to the area. Some of the tracts have a few lodgepole pine trees, with open areas of sagebrush; others have thick lodgepole pine to the exclusion of almost all other plants. Some of the tracts have a few aspen trees. The topography varies from rolling to very steep. Each tract has a building site. However, considerable work and expense may be involved in clearing and leveling a suitable area for improvements. Construction of access roads to the individual tracts may involve considerable labor and expense. Wells drilled to a depth of 150-200 feet may provide culinary water. Electrical power lines and telephone lines are 1 to 2 miles away.

The area lies at an elevation of about 7600 feet and precipitation as snow and rain averages about 17 inches annually. Access to and use of the area is restricted to about six months during the year from May 15 through October or until heavy snowfall restricts travel. There are no trading centers closer than Parshall, about seven miles away.

4. The individual tracts vary in size from 2.5 acres to 5.0 acres. The tracts are rectangular in shape. Each tract

has a Government survey corner on its boundary from which it can be identified. The tracts will be leased and sold subject to all rights of way of record, and rights of way under 43 CFR 257.17(b) will be reserved for road purposes and for public utilities along the boundaries of the tracts as shown below and upon an unofficial plat, a copy of which will be at-

tached to each lease issued. Such rights of way may be utilized by the Federal Government, the State of Colorado, or Grand County, or by any agency thereof. All minerals in the land will be reserved to the United States. The Federal Government does not guarantee access to the area or to individual tracts within the area.

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 S., R. 78 W., Sec. 17

| Description | Tract reference | Acreage | Advance rental | Appraised price | Rights-of-way width and location |
|---|-----------------|---------|----------------|-----------------|--|
| N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 2 | 5 | \$33.75 | \$225 | 25 feet along west side. |
| S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 3 | 5 | 33.75 | 225 | Do. |
| N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 4 | 5 | 37.50 | 250 | Do. |
| S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 5 | 5 | 45.00 | 300 | Do. |
| N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 6 | 5 | 48.75 | 325 | Do. |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 8 | 2.5 | 48.75 | 325 | 50 feet along north side. |
| SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 10 | 2.5 | 45.00 | 300 | 25 feet along south side. |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 11 | 2.5 | 52.50 | 350 | 25 feet along north, east and south sides. |
| S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 12 | 5 | 60.00 | 400 | 25 feet along west and south sides. |
| S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 13 | 5 | 45.00 | 300 | None. |
| N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 14 | 5 | 52.50 | 350 | 25 feet along west side. |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 15 | 2.5 | 48.75 | 325 | 25 feet along east and north sides. |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 16 | 2.5 | 45.00 | 300 | 25 feet along north and west sides. |
| N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 17 | 5 | 48.75 | 325 | 25 feet along north and east sides. |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 19 | 5 | 60.00 | 400 | 25 feet along south side. |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 20 | 2.5 | 56.25 | 375 | 25 feet along east and south sides. |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 21 | 2.5 | 60.00 | 400 | 25 feet along south and west sides. |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 22 | 2.5 | 56.25 | 375 | None. |
| S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 23 | 5 | 33.75 | 225 | 25 feet along west side. |

1 Covered by an application from an individual entitled to preference under 43 CFR 257.5(a).

5. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 43 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the price indicated above providing that during the period of their leases they either (a) comply with the improvement requirements as set forth in this opening order under paragraph 7 and those shown on the reverse side of the offer to lease and Lease Form 4-776 or (b) file a copy of an agreement in accordance with 43 CFR 257.13(d). Leases will be renewable at the discretion of the Bureau of Land Management and the renewal lease will be subject to such terms and conditions as are deemed necessary in the light of the circumstances and regulations existing at the time of renewal. However, a lease will not be renewable unless failure to construct the required improvements is justified under the circumstances and non-renewal would work an extreme hardship on the lessee.

6. Persons who have previously acquired a tract under the Small Tract Act are not qualified to secure a tract at the drawing unless they can make a showing satisfactory to the Bureau of Land Management that the acquisition of another tract is warranted in the circumstances.

7. The improvements referred to in paragraph 5 must conform with health, sanitation and construction requirements of local ordinances and must, in addition, meet the following requirements:

(a) Buildings on these tracts shall be constructed of new and substantial materials set on adequate foundations of cement, rocks, cinder blocks or similar materials. Chimneys must be of cement, stone, brick masonry, or of an approved metal type and shall be lined with fire

resistant brick or tile except where approved metal types are used.

(b) No shacks of temporary and unsightly nature will be allowed. The use of tar or composition papers for general exterior purposes will not be permitted. Trailers or portable types of houses will not be considered as being part or all of the development requirements. Trailers may be used for temporary housing during the construction of permanent improvements; however, they will not be considered as part of the improvements required under the lease and must be removed before favorable action will be taken on an application to purchase.

(c) Each lessee will be required to keep the premises in a neat and orderly condition. Garbage and other refuse must be disposed of by burning in an incinerator or be removed at regular intervals in accordance with local standards and practices. Disposal of garbage or other refuse on areas included in rights-of-way of record or rights-of-way reserved under 43 CFR 257.17(b) is prohibited.

(d) Each lessee will be responsible for maintenance in an attractive and fire-safe condition throughout the lease period rights-of-way of record and those reserved under 43 CFR 257.17(b) which cross his tract.

(e) Only one residence building will be permitted per lot. Buildings other than the residence shall be kept to a minimum.

(f) All residential buildings shall have not less than 500 square feet of floor space.

(g) All Bureau of Land Management regulations and State laws as to fire prevention must be observed. Premises and improvements must be maintained in a fire-safe condition at all times. Each lessee will be required to take all reasonable precautions to prevent and suppress forest, brush, and grass fires. Debris and

inflammable material will be removed or burned in such a manner that adjoining properties as well as their own will not be endangered.

(h) Buildings or other improvements on the lots shall be set back a minimum distance of 15 feet from outside boundaries of rights-of-way of record and rights-of-way reserved under 43 CFR Part 257.17(b).

(i) No buildings shall be constructed on areas reserved for rights-of-way under 43 CFR 257.17(b).

(j) All residence sites must have adequate sanitary facilities to conform to State, county and local laws and ordinances. Outdoor toilets must be located a minimum of 30 feet from the building or dwelling. The toilets must be fully enclosed and of substantial construction and contain a pit and cover for the seat. The depth of the pit shall not be less than six feet below ground level. In the case of inside toilets, disposal of waste shall be by means of septic tanks or cesspools.

(k) Bearing trees witnessing Bureau of Land Management survey monuments may not be cut, defaced, or destroyed unless their presence interferes with construction of improvements or building of roads.

(l) Removal of Bureau of Land Management monumented survey corners which are steel pipe with brass caps set along the boundaries of the tracts, is prohibited. If their presence interferes with construction of roads, the monument shall be buried in place and at least two permanent marked witness monuments should be established at suitable locations outside the area that will be disturbed by the construction. The State Supervisor, Bureau of Land Management, P.O. Box 1018, 339 New Custom House, Denver 1, Colorado, should be given a brief description of the witness monuments and the connecting courses and distances to the original monument.

(m) Electrical and telephone line poles must be placed within the rights-of-way areas reserved under 43 CFR 257.17(b) and set not further than five feet from the exterior boundaries of the rights-of-way.

(n) Roofs should be of sufficient pitch and adequate construction to support heavy snows incident to the area. Roofs with at least one-third pitch are recommended.

(o) The lessee must show his last name and the number of his lot on a sign and post it in a conspicuous place on the lot throughout the lease period.

8. The lands are now open to filing of drawing entry cards (Form 4-775) only by persons entitled to veterans preference. In brief, persons entitled to such preference are (a) honorably discharged veterans who served in the Armed Forces of the United States for a period of at least 90 days after September 16, 1940; (b) surviving spouse or minor orphan children of such veterans; and (c) with the consent of the veteran, the spouse of living veterans. The 90-day requirement does not apply to veterans who were discharged on account of wounds

or disability incurred in the line of duty or the surviving spouse or minor children of veterans killed in the line of duty. Drawing entry cards (Form 4-775) are available upon request from the Land Office Manager, Bureau of Land Management, P.O. Box 1018, Room 371, New Custom House, Denver 1, Colorado. Drawing entry cards will be accepted, only if filled out in compliance with the instructions on the form and filed with the above named official prior to 10:00 a.m., August 4, 1959. A drawing will be held at 10:00 a.m., August 6, 1959 in Room 371, New Custom House, Denver, Colorado. Drawing entry cards must show Small Tract Classification No. 21 in the space provided. Any person who submits more than one card will be declared ineligible to participate in the drawing. Tracts will be assigned to entrants in the order that their names are drawn. All entrants will be notified of the results of the drawing. Successful entrants will be sent copies of the lease forms (Form 4-776) with instructions as to their execution and return and as to payment of fees and rentals.

9. Inquiries concerning the lands shall be addressed to the Land Office Manager, Bureau of Land Management, 371 New Custom House, P.O. Box 1018, Denver 1, Colorado.

J. ELLIOTT HALL,
Lands and Minerals Officer.

APRIL 17, 1959.

[F.R. Doc. 59-3591; Filed, Apr. 28, 1959;
8:46 a.m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

APRIL 21, 1959.

The United States Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 027723, for the withdrawal of the lands described below from location and entry under the General Mining Laws, subject to existing valid claims.

The applicant desires the land for use as a natural area in Gunnison National Forest.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, 339 New Custom House, P.O. Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

GUNNISON NATIONAL FOREST

Gothic Natural Area—Unsurveyed but when surveyed will probably be:

T. 12 S., R. 86 W.,
Sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ (except portions of lode claims 8528 and 5476);
Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ (except portions of lode claims 8528 and 5476).

The above area aggregates 1190 acres.

J. ELLIOTT HALL,
Lands and Minerals Officer.

[F.R. Doc. 59-3592; Filed, Apr. 28, 1959;
8:46 a.m.]

GRAZING LEASE RENTALS

Notice of Change

APRIL 20, 1959.

Pursuant to the provisions of 43 CFR 160.14, revised March 10, 1959, notice is hereby given that in accordance with this regulation grazing lease rentals shall be computed in conformity with the following rate tabulation:

GRAZING RENTAL RATE TABULATION

| Estimated grazing capacity in acres per animal unit month | Estimated grazing capacity in animal units year-long per section | Yearly lease rental per acre |
|---|--|------------------------------|
| 107.00 | 0.5 | \$0.002 |
| 53.00 | 1.0 | .004 |
| 36.00 | 1.5 | .006 |
| 27.00 | 2.0 | .008 |
| 21.00 | 2.5 | .010 |
| 18.00 | 3.0 | .012 |
| 15.00 | 3.5 | .015 |
| 13.00 | 4.0 | .017 |
| 12.00 | 4.5 | .018 |
| 11.00 | 5.0 | .020 |
| 9.00 | 6.0 | .024 |
| 7.50 | 7.0 | .029 |
| 6.50 | 8.0 | .034 |
| 6.00 | 9.0 | .037 |
| 5.50 | 10.0 | .040 |
| 5.00 | 11.0 | .044 |
| 4.50 | 12.0 | .049 |
| 4.00 | 13.0 | .055 |
| 3.75 | 14.0 | .059 |
| 3.50 | 15.0 | .063 |
| 3.25 | 16.0 | .068 |
| 3.00 | 17.0 | .073 |
| 2.75 | 19.0 | .080 |
| 2.50 | 21.0 | .088 |
| 2.25 | 24.0 | .098 |
| 2.00 | 27.0 | .110 |
| 1.75 | 30.0 | .126 |
| 1.50 | 36.0 | .147 |
| 1.25 | 43.0 | .176 |
| 1.00 | 53.0 | .220 |
| 0.75 | 80.0 | .293 |
| 0.50 | 107.0 | .440 |
| 0.25 | 213.0 | .890 |

The new schedule rate will be effective (1) immediately as to new leases issued after date of publication, (2) 30 days after publication as to existing leases, the rental period of which begins after

the 30-day period. The minimum rental on a lease shall not be less than \$1.00 per annum. One cow or one-half horse or five sheep or five goats constitutes one animal unit.

EDWARD WOOLEY,
Director.

[F.R. Doc. 59-3593; Filed, Apr. 28, 1959;
8:46 a.m.]

Bureau of Reclamation

[Public Announcement 23, Amdt. 3]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of the Sale of Full-Time Farm Units; Amendment

Public announcement of the sale of full-time farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated June 1, 1955, and published in the FEDERAL REGISTER at 20 F.R. 4375, as amended by Amendment No. 1, dated August 14, 1957, and published in the FEDERAL REGISTER at 22 F.R. 6848, and further amended by Amendment No. 2, dated March 28, 1958, and published in the FEDERAL REGISTER at 23 F.R. 2303, is amended in subsection 1.a. by deleting from the list of farm units offered, Farm Unit 122, Irrigation Block 19.

FRED G. AANDAHL,
Assistant Secretary of the Interior.

APRIL 21, 1959.

[F.R. Doc. 59-3616; Filed, Apr. 28, 1959;
8:49 a.m.]

[Public Announcement 29, Amdt. 1]

COLUMBIA BASIN PROJECT, WASHINGTON

Public Announcement of the Sale of Full-Time Farm Units; Amendment

Public announcement of the sale of full-time farm units in the Quincy-Columbia Basin Irrigation District, Columbia Basin Project, Washington, dated September 15, 1958, and published in the FEDERAL REGISTER at 23 F.R. 7550, is amended in subsection 1a(1) by deleting from the list of farm units offered, Farm Unit 108, Irrigation Block 85.

FRED G. AANDAHL,
Assistant Secretary of the Interior.

APRIL 21, 1959.

[F.R. Doc. 59-3617; Filed, Apr. 28, 1959;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ALVA J. SPRIGGS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and

No. 83—3

Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

A. Deletions:
Alleghany Corporation.
Pacific Uranium Mines.
Sheraton American Corporation.
Sperry Rand Corporation.
Trav-Ler Radio Corporation.
United Corporation.
Van Norman Industries.
B. Additions:
Alco Products Corporation.
American Heritage Life Insurance Company.
Atchison, Topeka, and Sante Fe RR.
Borg Warner Corporation.
Chemical Fund.
Day Mines, Inc.
North Star Oil Corporation (Canada).
Television Electronics Fund.
Universal Oil Products.
Socony Mobil Oil Company.

This statement is made as of April 21, 1959.

ALVA J. SPRIGGS.

APRIL 21, 1959.

[F.R. Doc. 59-3596; Filed, Apr. 28, 1959;
8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10854 etc.; FCC 59-363]

BISCAYNE TELEVISION CORP. ET AL.

Ordre

In re applications of Biscayne Television Corporation, Miami, Florida, Docket No. 10854, File No. BPCT-1453; East Coast Television Corporation, Miami, Florida, Docket No. 10856, File No. BPCT-1612; South Florida Television Corporation, Miami, Florida, Docket No. 10857, File No. BPCT-1806; Sunbeam Television Corporation, Miami, Florida, Docket No. 10858, File No. BPCT-1816; for construction permits for new television broadcast stations (Channel 7).

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 16th day of April 1959:

It is ordered, That, in the reopened proceedings herein ordered by the Commission on April 3, 1959 (order released April 7, 1959; FCC 59-289; Mimeo No. 69409), Horace Stern will serve as Presiding Officer; that the further hearing and hearing conferences therein shall be held at such times and places as may be designated by the Presiding Officer; and that, to the extent that the order of April 3, 1959, *supra*, provides for the holding of said further hearings in Washington, District of Columbia, it is hereby rescinded.

Released: April 16, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3625; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12414 etc.; FCC 59-368]

AUSTIN E. HARKINS ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of: Austin E. Harkins et al., d/b as Alkima Broadcasting Company, West Chester, Pennsylvania, Docket No. 12414, file No. BP-10640; Herman Handloff, Newark, Delaware, Docket No. 12711, File No. BP-12190; Howard Wasserman, West Chester, Pennsylvania, Docket No. 12712, File No. BP-12208; for construction permits.

1. The Commission has before it for consideration a petition to enlarge issues filed February 5, 1959, by WWDC, Inc.; a statement in support of the petition to enlarge filed February 16, 1959, by the Broadcast Bureau; an opposition to petition to enlarge filed February 16, 1959, by Howard Wasserman; an opposition to petition to enlarge filed February 18, 1959, by Alkima Broadcasting Co., and a reply to petition to enlarge filed February 16, 1959, by Herman Handloff.

2. By order released December 30, 1958, the applications of Alkima Broadcasting Co. and Howard Wasserman, both of West Chester, Pa., and Herman Handloff of Newark, Delaware, all of whom request operation on 1260 kc, with a power of 500 watts, daytime only using a directional antenna, were designated for consolidated hearing because of mutually destructive interference. All applicants had been found legally, financially, technically and otherwise qualified, except as indicated by the specified issues.

3. By order released February 18, 1959, the Chief Hearing Examiner allowed WWDC, Washington, D.C. (1260 kc, 5 kw, DA-2, U) to intervene in the proceeding. WWDC seeks to enlarge the issues to determine whether the proposed operation of Alkima and Wasserman would cause objectionable interference to its existing operation, and, if so, the nature and extent thereof and the availability of other primary service to the areas and populations that would be affected thereby. In support of its petition, WWDC submitted field intensity measurements along three radials in the direction of West Chester, Pa., to show that its measured 0.5 mv/m contour is overlapped by the computed .025 mv/m contour of the Alkima and Wasserman proposals. Petitioner alleges that a land area of approximately 15 square miles will be subjected to interference, but does not show the population included within the interference area. The Broadcast Bureau and Handloff, on the basis of the showing made by petitioner, support the petition to enlarge.

4. In opposition thereto, Wasserman and Alkima submit that there is no overlap of the aforementioned contours contending that the correct location of their proposed 0.025 mv/m contours should be based on the use of a conductivity of 40 millimhos per meter, instead of the 5000 millimhos per meter used by WWDC, for the portions of the path across upper Chesapeake Bay. Wasserman's engineering consultant submits that the use of a conductivity of 40 mil-

limhos per meter for upper Chesapeake Bay is based upon engineering practice accepted and employed in hearing cases, and refers to measurements included in the station files of WCEM, Cambridge, Md., at the time that station applied for a construction permit to increase power from 100 to 250 watts. Furthermore, Wasserman and Alkima do not agree with the WWDC analysis of its field intensity measurements, which shows the WWDC 0.5 mv/m contour to be at a greater distance from Washington than shown in the WWDC 1956 proof of performance. It is the opponents contention that a correct analysis of the measurements would show the change in location of the WWDC 0.5 mv/m contour is not due to a change in conductivity, as alleged by WWDC, but due to a maladjustment of the WWDC antenna system resulting in increased radiation toward West Chester. This can be determined, it is stated, only by adequate repeat measurements on all the radials of the WWDC daytime proof of performance. Without this supporting information, Wasserman and Alkima contend, the assumed location of the WWDC 0.5 mv/m contour should be that shown in the 1956 proof of performance, in which case the 0.025 mv/m contour, as shown in their respective applications, would not overlap the 0.5 mv/m contour of WWDC.

5. The Commission has considered the arguments advanced by the petitioner and the rebuttal by Alkima and Wasserman. The field intensity measurements submitted by WWDC are susceptible to interpretation, consequently it is not possible to determine whether the change in location of the WWDC 0.5 mv/m contour is due to a change in conductivity or an increase in radiation toward West Chester. Furthermore, an inspection of the files of WCEM fails to reveal any field intensity measurements which would establish the conductivity over Chesapeake Bay as being 40 millimhos per meter as advanced by Wasserman. However, from a study of the engineering statements submitted by WWDC and Wasserman the Commission has concluded that the 0.5 mv/m contour and the Wasserman 0.025 mv/m contour, as depicted in the respective statements, may overlap resulting in objectionable interference to the daytime service of Station WWDC within the meaning of § 3.182(a) (3) (i) and (v) of the rules:

Accordingly, it is ordered, That the petition to enlarge issues filed February 5, 1959, by WWDC, is granted; and issues number 3, 4 and 5 in the above-entitled proceeding are renumbered 4, 5 and 6 and the issues are enlarged to include as Issue No. 3 the following:

To determine whether the proposed operations of the Alkima Broadcasting Company and Howard Wasserman would cause objectionable interference to Station WWDC, Inc., Washington, D.C. and, if so the manner and extent thereof, and the availability of other primary service

to the areas and populations that would be affected thereby.

Adopted: April 22, 1959.

Released: April 24, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3626; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12432 etc.; FCC 59M-531]

WILSON BROADCASTING CORP. ET AL.

Order Continuing Hearing

In re applications of Wilson Broadcasting Corporation, New Bedford, Massachusetts, Docket No. 12432, File No. BPCT-2232; E. Anthony & Sons, Inc., New Bedford, Massachusetts, Docket No. 12433, File No. BPCT-2233; Eastern States Broadcasting Corp., New Bedford, Massachusetts, Docket No. 12434, File No. BPCT-2252; New England Television Company, Inc., New Bedford, Massachusetts, Docket No. 12435, File No. BPCT-2425; for construction permits for new television Broadcast stations (Channel 6).

The Hearing Examiner having under consideration a Further Request for Postponement of Proceedings filed April 15, 1959 on behalf of Wilson Broadcasting Corporation and the related proceedings, including an oral argument upon the request held on April 21, 1959, as shown by the docket and transcript records herein; and

It appearing that movant, with support by Eastern States and New England, seeks a 90-day postponement of the exchange of exhibits now scheduled for May 1, 1959, and a like deferral of the further prehearing conference and hearing dates of May 11, 18, and 25, and June 1 and 8, 1959, for the reason that the Coast Guard objections under the first issue—upon which hearing proceedings have been suspended to await Commission action on pending pleadings relating thereto—suggest a possibility that each and all of the applicant's proposals might be rejected, and thus render futile and meaningless the compilation of a comparative hearing record; and

It further appearing that Anthony and Bureau urge that the hearing go forward because the scope and nature of the evidence upon the comparative questions at issue will not be changed by whatever action may be taken by the Commission upon the first issue; and

It further appearing that it will conduce to the more orderly dispatch of the Commission's business in this and in other proceedings and that reasonable fairness to all participants will be accorded if the scheduled procedural steps be postponed to await clarification by the Commission of the Issue 1 matters now before it; and

It further appearing that this order formally expresses the ruling announced on the record at the conclusion of the oral argument, and that time for appeal from the ruling should be computed from the date of release of this order; now therefore:

It is ordered, This 22d day of April 1959, that the foregoing Further Request for Postponement of Proceedings is granted to the extent that the dates for further procedural steps as stated in the second paragraph herein are postponed to such dates as may be fixed by subsequent order to be entered after Commission action on the pleadings now pending in this case.

It is further ordered, That for purposes of appeal the effective date of this order shall be the release date shown below.

Released: April 24, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3627; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12533; FCC 59M-532]

PAUL A. BRANDT

Order Continuing Hearing

In re application of Paul A. Brandt, Gladwin, Michigan, Docket No. 12533, File No. BP-11361; for construction permit.

The Hearing Examiner having under consideration a petition for continuance of hearing filed by the applicant on April 20, 1959;

It appearing that good cause has been shown and that counsel for the Broadcast Bureau has consented to the proposed continuance.

It is ordered, This 22d day of April 1959, that the petition is granted and the hearing now scheduled for April 24, 1959, is continued to April 29, 1959.

Released: April 23, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3628; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12651 etc.; FCC 59-381]

JAMES E. WALLEY ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of James E. Walley, Oroville, California, requests 1340kc, 250w, U, Docket No. 12651, File No. BP-11655; Robert L. Stoddard tr/as Sierra Broadcasting Company (KATO), Reno, Nevada, has 1340kc, 250w, U, requests 1340kc, 250w, 1kw-LS, U, Docket No. 12819, File No. BP-12299; Finley Broad-

casting Company (KSRO), Santa Rosa, California, has 1350kc, 1kw, DA-1, U, requests 1350kc, 5kw, DA-N, U, Docket No. 12820, File No. BP-12313; Gene V. Mitchell and Robert T. McVay, d/b as Sanval Broadcasters, Oroville, California, requests 1340kc, 250w, U, Docket No. 12821, File No. BP-12381; for construction permits for standard broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 22d day of April 1959;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, by an Order (FCC 59-276) adopted on April 1, 1959, the Commission consolidated the instant applications for hearing, but that certain issues which should have been specified in the said Order were inadvertently omitted; and that the said Order should be amended to read as follows:

It appearing, that, the instant proposals of Sanval Broadcasters and James E. Walley involve mutually destructive interference and each involves mutual interference with both instant proposals of Sierra Broadcasting Company and Finley Broadcasting Company; and

It further appearing, that the Commission, by order (FCC 58-1041) adopted on November 5, 1958, designated for hearing the instant application of James E. Walley; that the applications of Sierra Broadcasting Company, Finley Broadcasting Company, and Sanval Broadcasters were filed on August 18, 1958, August 29, 1958, and September 16, 1958, respectively, and are, therefore, entitled, pursuant to § 1.106 of the Commission rules, to be consolidated in the said hearing proceeding; and

It further appearing, that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially; and otherwise qualified to construct and operate its instant proposal; and

It further appearing, that the proposed operation of KSRO would cause objectionable interference to Stations KFIV, Modesto, California, KEEN, San Jose, California, and KOMY, Watsonville, California; and

It further appearing, that the proposals of James E. Walley and of Sanval Broadcasters would receive from the proposal of Sierra Broadcasting Company interference which would affect more than 10 percent of the population within the proposed normally protected contours of each in contravention of § 3.28(c) of the Commission rules; that Sanval Broadcasters requests a waiver of said section on the ground that its proposal would be the first local facility in Oroville, California; that its proposal would cause objectionable interference to Station KCRA, Sacramento, California, and to the existing operation of Station KATO; that the applicant, by an amendment filed on February 13, 1959, contends that measurements made on Station KWRN (now, KDOT), Reno, Nevada, establish that no interference would result between its proposal and either the

existing or proposed operations of Station KATO, but that the applicant has apparently utilized the effective conductivity at the end of the measured portion of each radial path as the conductivity for the remainder of the path and has also apparently utilized this conductivity to establish that no interference would obtain in the reverse direction, i.e., from the proposed operation toward KATO, which procedure has not been established as valid; and

It further appearing, that, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applicants were advised by letter dated January 16, 1959, of the foregoing deficiencies; and

It further appearing, that replies were filed by all the applicants; and that the licensee of KCRA requested an opportunity to appear at a hearing on these applications; and

It further appearing, that, in view of the above, the Commission is of the opinion that a hearing on the instant applications is necessary:

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, in Docket No. 12651, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operations of James E. Walley and Sanval Broadcasters and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Stations KATO, Reno, Nevada, and KSRO, Santa Rosa, California, and the availability of other primary service to such areas and populations.

3. To determine whether the proposed operations of James E. Walley and Sanval Broadcasters would cause objectionable interference to Stations KCRA, Sacramento, California, and KATO, Reno, Nevada, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the proposed operation of Station KSRO would cause objectionable interference to Stations KFIV, Modesto, California, KEEN, San Jose, California, and KOMY, Watsonville, California, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine the nature and extent of the interference, if any, that each of the operations proposed in the above-entitled applications would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the proposals of James E. Walley and of Sanval Broadcasters would receive from the proposal of Sierra Broadcasting Company interference which would affect more than 10 percent of the population in its normally protected primary service area in contravention of the provisions of § 3.28(c) of the Commission rules; and, if so, whether circumstances exist which would warrant a waiver of the said section.

7. To determine whether the application of James E. Walley was filed in good faith or whether said application was filed for the purpose of hindering and obstructing a grant of the application (File No. BR-1926) for a renewal of the license of Station KMOR or the assignment of said license.

8. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

9. To determine on a comparative basis, in the event that, pursuant to the foregoing issue, Oroville, California, is considered to have the greater need for a new facility, which of the two proposals of James E. Walley and Sanval Broadcasters would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the two applicants as to:

a. The background and experience of each having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

b. The proposal of each with respect to the management and operation of the proposed station.

c. The programming service proposed in each of the said applications.

10. To determine in the light of the evidence adduced pursuant to the foregoing issues, which, if any, of the instant applications should be granted.

It is further ordered, That KCRA, Inc., Modesto Broadcasting Company, United Broadcasting Company, and Francis T. Crennan, licensees respectively of Stations KCRA, KFIV, KEEN, and KOMY, are made parties to the proceeding.

It is further ordered, That this order shall supersede, with respect to the issues only, the Commission's order (FCC 58-1041) of November 5, 1958, designating for hearing the first above-captioned application.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants, and parties respondent herein, except James E. Walley and KCRA, Inc., pursuant to § 1.140 of the Commission's Rules, by attorney or appropriate corporate officer, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the issues in this proceeding may be enlarged by the Examiner on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the

addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That the Commission's above-referenced Order (FCC 59-276) of April 1, 1959 is amended as set forth above.

Released: April 24, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3629; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12751; FCC 59M-538]

MALRITE BROADCASTING CO.

Order Continuing Hearing

In re application of Milton Maltz and Robert Wright, d/b as Malrite Broadcasting Co., Tiffin, Ohio, Docket No. 12751, File No. BP-11448; for construction permit.

Upon the Hearing Examiner's own motion, for the reason that there are currently pending certain pleadings awaiting Commission action in this proceeding: *It is ordered*, This 23d day of April 1959, that the hearing now scheduled herein for April 30, 1959, at 2:00 o'clock p.m. be, and at the same is hereby, continued without date.

Released: April 24, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3630; Filed, Apr. 28, 1959;
8:50 a.m.]

[Docket No. 12806; FCC 59M-526]

A & B AUTO SUPPLY, INC.

Order Continuing Hearing

In the matter of A & B Auto Supply, Inc., 4950 N.E. Union, Portland, Oregon, Docket No. 12806, order to show cause why there should not be revoked the license for radio station WK-6059 aboard the vessel "June E."

The Hearing Examiner having under consideration a motion filed on April 20, 1959, by the Safety and Special Radio Services Bureau, requesting that the hearing in the above-entitled proceeding presently scheduled to commence on May 1, 1959, be continued indefinitely;

It appearing, that the public interest requires an early consideration of such motion and good cause has been shown for the grant thereof:

It is ordered, This 22d day of April 1959, that the motion be and it is hereby granted; and the hearing in the above-entitled proceeding be and it is hereby

continued to a time and place to be specified in a subsequent order.

Released: April 23, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3631; Filed, Apr. 28, 1959;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-16945]

TENNESSEE GAS TRANSMISSION CO.

Notice of Application and Date of Hearing

APRIL 22, 1959.

Take notice that Tennessee Gas Transmission Company (Applicant), a Delaware corporation with its principal place of business in Houston, Texas, filed, on November 12, 1958, an application for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing the Applicant to sell natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant proposes to make a new field sale of natural gas to Northern Natural Gas Company (Northern) from production from the Erickson and Riffel Units in the Hugoton Gas Field, Finney County, Kansas.

The proposed sale will be made pursuant to the terms of a gas sales contract, dated October 1, 1958, which has been filed as Applicant's Rate Schedule F-40.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 27, 1959, at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in, and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 16, 1959. Failure of any party to appear at

and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-3587; Filed, Apr. 28, 1959;
8:45 a.m.]

[Docket No. G-10396 etc.]

AMERICAN LOUISIANA PIPE LINE CO. ET AL.

Order Granting, in Part, Application For Reconsideration, Consolidating Proceedings and Advancing Date of Hearing

APRIL 22, 1959.

In the matters of American Louisiana Pipe Line Company, Docket No. G-10396; Gulf Oil Corporation, Docket No. G-10400; Panhandle Eastern Pipe Line Company, Docket Nos. G-11061, G-18144.

By Opinion No. 319 and order issued December 19, 1958, the Commission granted permission to Panhandle Eastern Pipe Line Company (Panhandle), Docket No. G-11061, to abandon natural-gas service to Michigan Consolidated Gas Company (Mich-Con) at Detroit and Ann Arbor, Michigan. Panhandle has been delivering a total of 127,000 Mcf of natural gas per day to Mich-Con at the two delivery points.

In such Opinion No. 319 and order issued December 19, 1957, the Commission directed that:

(B) Within 30 days of the issuance of this order Panhandle shall submit for the approval of this Commission a plan allocating the gas presently being delivered to Michigan Consolidated so that such gas will be available for sale for resale primarily to domestic and commercial consumers.

Subsequently, on January 19, 1959, Panhandle submitted a plan for allocating the 127,000 Mcf of natural gas per day among its customers. In addition, Panhandle indicated that it would have an additional 30,000 Mcf of natural gas per day available by reason of "supercharging of existing engines in * * * compressor stations."

In the Commission's "Order Denying Applications for Rehearing, Granting Stay and Fixing Hearing on Allocation of Gas" issued February 13, 1959, it rejected Panhandle's proposed plan of allocation stating:

In our order of December 19, 1958, we provided that Panhandle should submit for our approval a plan of allocating the gas presently being delivered to Michigan Consolidated so that such gas will be available for sale for resale primarily to domestic and commercial consumers. Panhandle did file a plan on January 19, 1959. However, the plan so filed is similar to that presented at the hearing, and, as we indicated in our prior order, that plan was not satisfactory. The

present plan clearly makes no real attempt to meet the standards of our order since it provides increased volumes of gas only for existing eastern zone customers having a higher percentage of space heating saturation than that obtaining on the Michigan Consolidated System and does not show the portion of the gas that will be made available to domestic and commercial consumers to meet the requirements of the Commission's order that the gas go primarily to these classes of consumers. We shall therefore reject Panhandle's plan but will set a hearing to enable all properly interested parties to present plans and evidence with respect to the disposition of Panhandle's gas in conformity to the standards of our order of December 19, 1958. In our opinion such parties would include Panhandle's customers and interested State commissions, but not members of the American Natural System or their customers.

By paragraph (E) of the aforementioned order issued February 13, 1959, the date for hearing with respect to the allocation of Panhandle's gas was fixed for June 16, 1959.

On March 16, 1959, Panhandle filed an "Application for Reconsideration" of paragraph (E) of the Commission's order issued February 13, 1959, to the extent that the provisions thereof contemplate that a hearing commence on June 16, 1959, to determine in Docket No. G-11061 the method for distributing the gas involved therein. As a part of its application for reconsideration, Panhandle submitted a proposed plan for allocating 157,000 Mcf of natural gas per day among its customers. This includes not only the volume of 127,000 Mcf per day involved in the abandonment proceeding, Docket No. G-11061, but also 30,000 Mcf per day of additional capacity which has become available by reason of Panhandle having modernized and turbocharged its compressor engines. The additional 30,000 Mcf per day is the subject of the certificate application filed in Docket No. G-18144 hereinafter referred to.

A joint protest to Panhandle's application for reconsideration and plan of allocation filed on March 16, 1959, was filed by National Coal Association et al.¹ on March 26, 1959, and a response to such application and plan was filed by The East Ohio Gas Company (East Ohio), National Coal Association et al. object to Panhandle's plan primarily on the ground that the plan encompasses the sale of large volumes of summer gas which may be utilized for industrial sales. East Ohio objected to the plan because under the plan no additional volumes of natural gas would be allocated to that company. East Ohio in its response states that " * * * East Ohio must insist upon receiving both or either of the supplies which it has supported in this proceeding, namely, 20,000 Mcf

per day of firm-flowing gas and 12,500,000 Mcf per year of storage gas."²

On March 24, 1959, Panhandle filed an application, Docket No. G-18144, in the alternative for (1) a modification of the certificate of public convenience and necessity issued to the company June 30, 1956, in Docket No. G-2433 or (2) a certificate of public convenience pursuant to section 7 of the Natural Gas Act authorizing the operation of facilities which Panhandle has installed to modernize and turbocharge its compressor engines at existing stations and the delivery of an additional 30,000 Mcf of natural gas per day to its existing customers. This application was supplemented by filings made on April 1, 1959 (First Supplement) and on April 15, 1959 (Second Supplement).

Having considered the Panhandle's application for reconsideration and its plan to allocate 157,000 Mcf of natural gas among its customers, the protest of National Coal Association and the response of East Ohio to such application and plan we are of the opinion that it is necessary and appropriate to consider Panhandle's overall plan to allocate 157,000 Mcf of natural gas per day among its customers and to this extent we will grant Panhandle's application for reconsideration. In this connection it will be necessary and appropriate to consolidate the proceeding with respect to the allocation of 127,000 Mcf of natural gas per day which will result from the abandonment of service to Mich-Con with the proceeding upon Panhandle's application filed in Docket No. G-18144 on March 24, 1959, as supplemented on April 1 and 15, 1959.

At such consolidated proceedings the burden shall be on Panhandle to justify its proposed deliveries of 12,500,000 Mcf per year to East Ohio and to demonstrate that such proposal is consistent with our orders issued in these proceedings on December 19, 1958, and February 13, 1959.

In our opinion it is further necessary and appropriate in the public interest to advance the date of hearing in the proceedings (consolidated) from June 16, 1959, to May 18, 1959.

This order shall constitute notice of the application of Panhandle Eastern Pipe Line Company filed in Docket No. G-18144 on March 24, 1959 as supplemented on April 1 and 15, 1959. Such application as supplemented is on file with the Commission and open to public inspection.

² In the Second Supplement to its application filed in Docket No. G-18144, hereinafter in this order referred to, Panhandle proposes to enter into service agreements providing for the delivery of 12,500,000 Mcf per year to East Ohio under Panhandle's S-1 Rate Schedule. Panhandle has in the past delivered 6,000,000 Mcf per year to East Ohio under such S-1 Rate Schedule in accordance with a service agreement which has expired. It proposes to enter into a new service agreement covering the same volume and in addition enter into a new service agreement covering 6,500,000 Mcf per year. The additional 6,500,000 Mcf purportedly is to become available from off-peak gas resulting from supercharging of compressors.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on May 18, 1959, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the proposed plan of Panhandle Eastern for the allocation of 157,000 Mcf of natural gas per day among its customers.

(B) The proceeding upon Panhandle's application as supplemented filed in Docket No. G-18144 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the operation of facilities and the delivery of an additional 30,000 Mcf per day to its customers is hereby consolidated for purpose of hearing with the proceeding involving the allocation of 127,000 Mcf per day among Panhandle's customers, which volume of 127,000 Mcf per day will result from Panhandle's abandonment of service to Mich-Con.

(C) Protests or petitions to intervene in the proceeding upon Panhandle's application filed in Docket No. G-18144 may be filed with the Federal Power Commission, Washington, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 11, 1959.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-3588; Filed, Apr. 28, 1959; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority 364]

ATTORNEY GENERAL

Disposal of Water Treatment Plant, 0.036 Acre of Land and Booster Pump Station, and 8-Inch Water Line Serving the Federal Reformatory, El Reno, Oklahoma

1. Pursuant to the authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (hereinafter referred to as "the Act"), authority is hereby delegated to the Attorney General to dispose of one (1) Water Treatment Plant, 0.036 acre of land and one (1) Booster Pump Station, and 10,000 feet of 8-Inch Water Line serving the Federal Reformatory, El Reno, Oklahoma, by sale upon such terms as may be deemed advantageous to the United States: *Provided*, That in case of a negotiated disposal not less than the appraised fair market value shall be obtained.

2. The authority conferred herein shall be exercised in accordance with the Act and the regulations of the Gen-

¹ The et al. includes United Mine Workers of America, Fuels Research Council, Inc. and The Chesapeake and Ohio Railway Company.

eral Services Administration issued pursuant thereto; except, however, that no screening of the property as required by GSA Reg. 2-IV-202.05 need be conducted, it having been determined that such screening among Federal agencies would accomplish no useful purpose, since the property subject to disposal hereunder serves and will continue to serve the Department of Justice installation.

3. The Attorney General shall submit to the appropriate Committees of Congress an explanatory statement of the type required by section 203(e) of the Act, as amended, in case of a negotiated disposal. A copy of each such statement shall be furnished to the General Services Administration.

4. The authority delegated herein may be redelegated to any officer or employee of the Department of Justice.

5. This delegation of authority shall be effective as of January 19, 1959. Delegations of Authority Number 296 dated July 12, 1957, (22 F.R. 5727) and Number 296, Revised, dated February 10, 1959 (24 F.R. 1226) are hereby superseded.

Dated: April 23, 1959.

FRANKLIN FLOETE,
Administrator.

[F.R. Doc. 59-3609; Filed, Apr. 28, 1959;
8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3777]

MIDDLE SOUTH UTILITIES, INC.

Order Postponing Hearing

APRIL 21, 1959.

On March 27, 1959, the Commission ordered a public hearing in the above entitled matter, and fixed April 28, 1959, as the date for such hearing. (Holding Company Act Release No. 13964).

Declarant has advised the Commission that it will be unable to have its witnesses available on April 28, 1959, that it desires additional time to prepare for the hearing; and has requested that the date for the hearing be postponed until the week beginning June 15, 1959.

It appearing to the Commission that it will not be detrimental to the public interest or the interest of investors or consumers for the hearing to be postponed:

It is ordered, That the hearing previously ordered in the proceeding is postponed until 10:00 a.m. on June 16, 1959, at the same place as heretofore fixed.

It is further ordered, That the date upon which any person desiring to be heard, or otherwise to participate in the proceeding, is required to file with the Secretary of the Commission a request in writing in respect thereof as provided by Rule XVII of the Commission's rules of practice, is postponed until June 10, 1959.

It is further ordered, That the Secretary shall give notice of the postponement of the hearing and the date of the

postponed hearing by mailing copies of this order, by registered mail with return receipt requested, to declarant, and to Arkansas Power & Light Company, Louisiana Power & Light Company, Mississippi Power & Light Company, and New Orleans Public Service, Inc.; that a copy of the order be mailed to the Arkansas Public Service Commission, Louisiana Public Service Commission, the Mississippi Public Service Commission and the City of New Orleans; that notice of the postponed hearing and the date thereof be further given to all persons by publication of this order in the FEDERAL REGISTER; and that a general release of this Commission in respect of the declaration be given to the press and mailed to all persons appearing on the mailing list of the Commission for releases under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-3595; Filed, Apr. 28, 1959;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 266]

MOTOR CARRIER APPLICATIONS

APRIL 24, 1959.

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States Standard Time (or 9:30 o'clock a.m., local Daylight Saving Time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub No. 95), filed March 24, 1959. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Applicant's attorney: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, and *acids and chemicals*, not limited to the descriptions as defined in the *Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in specialized equipment, from Port Arthur, Tex., and points within seven (7) miles of Port Arthur, Tex., to points in Alabama. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Utah.

HEARING: June 23, 1959, at the Federal Building, Franklin and Fannin

Streets, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 531 (Sub No. 96), filed March 27, 1959. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Applicant's attorney: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, and *acids and chemicals*, not limited to the descriptions as defined in *Maxwell Co., Extension, Addyston*, 63 M.C.C. 677, in bulk, in specialized equipment, from Lake Charles, La., and points within thirteen (13) miles thereof, to points in Colorado and Kansas. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Utah.

HEARING: June 22, 1959, at the Federal Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 629 (Sub No. 13) (CORRECTION), filed March 11, 1959, published April 8, 1959, at Page 2702. Applicant: HELM'S EXPRESS, INC., P.O. Box 268, Pittsburgh 30, Pa. Applicant's attorney: John A. Vuono, 1211 Berger Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Bethlehem, Pa., and Kingston, N.Y., from Bethlehem over Pennsylvania Highway 512 to Wind Gap, Pa., thence over Pennsylvania Highway 12 to Snyder'sville, Pa., thence over U.S. Highway 209 to Kingston, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. Applicant is authorized to conduct operations in Pennsylvania, New York, New Jersey, Ohio, West Virginia, Connecticut, and Massachusetts.

HEARING: Remains as assigned May 8, 1959, at the Fulton Building, 101-115 Sixth Street, Pittsburgh, Pa., before Examiner Dallas B. Russell.

No. MC 665 (Sub No. 59), filed March 30, 1959. Applicant: MISSOURI-ARKANSAS TRANSPORTATION COMPANY, a corporation, 15th and Maiden Lane, Joplin, Mo. Applicant's attorney: James F. Miller, 500 Board of Trade Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Neodesha, Kans., as an intermediate point in connection with applicant's regular route operations between Fredonia and Parsons, Kans. Applicant is authorized to conduct operations in Arkansas, Kansas, Missouri, and Oklahoma.

HEARING: June 29, 1959, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 52.

No. MC 986 (Sub No. 11), filed March 9, 1959. Applicant: KANSAS NEBRASKA XPRESS, INC., 1229½ Union Avenue, Kansas City 1, Mo. Applicant's attorney: Carll V. Kretsinger, 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between junction U.S. Highways 36 and 77 at Marysville, Kans., and Omaha, Nebr., from junction U.S. Highways 36 and 77 at Marysville, Kans., over U.S. Highway 77 to junction U.S. Highway 6, thence over U.S. Highway 6 to Omaha, and return over the same route, serving no intermediate points, but serving junction U.S. Highways 36 and 77 at Marysville, Kans., for joinder purposes only; and (2) serving Marysville, Kans., as an intermediate point in connection with applicant's authorized regular route operations between Omaha, Nebr., and Kansas City, Mo. Applicant is authorized to conduct operations in Colorado, Iowa, Kansas, Missouri, Nebraska, and South Dakota.

NOTE: Any duplication with present authority to be eliminated.

HEARING: June 23, 1959, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 139.

No. MC 2522 (Sub No. 2), filed March 18, 1959. Applicant: P. DINAPOLI COMPANY, a corporation, 31 Fargo Street, Boston, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruits and vegetables* (in mixed shipments including bananas), from Boston, Mass., to New London, Conn., Kittery, Maine, Portsmouth, N.H., and points in Rhode Island. Applicant is authorized to conduct operations in Massachusetts, Connecticut, Rhode Island, and New Hampshire.

HEARING: June 10, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 2855 (Sub No. 5) (CLARIFICATION), filed March 10, 1959, published in the FEDERAL REGISTER of April 9, 1959. Applicant: RAYMOND LEE HOGGE, doing business as R. L. HOGGE, Fourth Street, West Point, Va. Applicant's attorney: Henry E. Ketner, State Planters Bank Building, Richmond 19, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from West Point, Va., to points in Delaware, Pennsylvania and New Jersey, (2) *pallets*, from West Point, Va., to points in Maryland, Delaware, Pennsylvania, New Jersey, and the District of Columbia, and (3) *lumber*, from Baltimore, Md., to West Point, Va. Applicant is authorized to conduct operations in Delaware, Maryland, New Jersey, Penn-

sylvania, Virginia, and the District of Columbia.

NOTE: Applicant states the purpose of this application is to secure authority to perform the service under contracts with the Johnson Lumber Company, Inc., West Point, Va., and the York Supply Company, Inc., West Point, Va., and perhaps other shippers, the specific names of whom, if any, will be developed at the hearing. This republication seeks to clarify this point. Applicant has been, and is now, performing contract carrier service for the shippers named in the previous publication.

HEARING: Remains as assigned May 27, 1959, at the U.S. Court Rooms, Richmond, Va., before Examiner Allan F. Borroughs.

No. MC 4405 (Sub No. 326), filed February 26, 1959. Applicant: DEALERS TRANSIT, INC., 12601 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *trailers, semi-trailers, trailer chassis, semi-trailer chassis*, other than those designed to be drawn by passenger automobile, in initial movement by truckaway and driveaway, from Lufkin, Tex., to points in the United States except points in Arkansas, Louisiana, Oklahoma, and Texas; (2) *tractors*, in secondary movements by driveaway, ONLY when drawing trailers moving in initial movement by the driveaway method, from Lufkin, Tex., to points in Arizona, Nevada, Oregon and Vermont; (3) *trucks*, in secondary movements by driveaway, from Lufkin, Tex., to points in Arizona, Nevada, Oregon, and Vermont; and (4) *truck and trailer bodies*, from Lufkin, Tex., to points in the United States except points in Arkansas, Louisiana, Oklahoma, and Texas. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 16, 1959, at the Baker Hotel, Dallas, Tex., before Examiner Frank R. Saltzman.

No. MC 7439 (Sub No. 3), filed March 18, 1959. Applicant: DAVID NELSON & SON, INC., 1346 54th Street, Kenosha, Wis. Applicant's attorney: Claude J. Jasper, 110 East Main Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture* (uncrated), as described in Appendix II to the *Report in Descriptions in Motor Carrier Certificates*, 61 MCC 209, except articles named in Appendices III or IV thereto covering "store and office fixtures" and "kitchen equipment", from Kenosha, Wis., to points in North Dakota, South Dakota, Nebraska, Kansas, Missouri, Kentucky, West Virginia, Virginia, Maryland, Pennsylvania, New Jersey, and New York; and *refused furniture shipments* (furniture returned to Kenosha for repair or refinishing), from points in the above-named 12 destination states, and, in addition, from points in Illinois, Michigan, Ohio, Indiana, Iowa, and Minnesota, to Kenosha, Wis.

NOTE: Applicant is authorized to transport new furniture from Kenosha to points in Illinois (except Chicago), Michigan, Ohio, Indiana, Iowa, and Minnesota; it seeks here

authority for return movements from points in the named six (6) states, to Kenosha, in addition to the 12 proposed states.

HEARING: June 1, 1959, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Thomas F. Kilroy.

No. MC 10928 (Sub No. 36), filed February 4, 1959. Applicant: SOUTHERN PLAZA EXPRESS, INC., 2001 Irving Boulevard, Dallas, Tex. Applicant's attorney: Hugh T. Matthews, Empire Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including Class A and B explosives*, but excluding commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Tulsa, Okla., and Preston, Okla.: from Preston over Oklahoma Highway 138 to junction U.S. Highway 169 at or near Glenpool, and thence over U.S. Highway 169 to Tulsa, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular routes between the same termini over U.S. Highway 75. Applicant is authorized to conduct operations in Missouri, Illinois, Tennessee, Texas, Oklahoma, Arkansas, and Kansas.

NOTE: Applicant states Oklahoma Highway 138 is a new highway being opened by the State and is a link in what is known as the Tulsa-Okmulgee Bee-line.

HEARING: June 12, 1959, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 88, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 11306 (Sub No. 4), filed April 13, 1959. Applicant: BASIN TRUCK LINE, INC., 2100 East 25th Street, Los Angeles 58, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packing houses*, as described by the Commission in Appendix I, Sub-headings A and C, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, in mechanical-refrigerated vehicles, from points in the Los Angeles, Calif., Commercial Zone, as defined by the Commission, to Morango Valley, Yucca Valley, Paradise Valley, Joshua Tree, Twentynine Palms, and the Marine Corps Artillery Training Center (approximately four (4) miles north of Twentynine Palms), Calif. Applicant is authorized to conduct operations from and to specified points in California.

HEARING: June 10, 1959, at the Federal Building, Los Angeles, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 14297 (Sub No. 14), filed April 6, 1959. Applicant: GIACOMAZZI BROS. TRANSPORTATION CO., P.O. Box 729, San Jose, Calif. Applicant's attorney: Marvin Handler, 625 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from Crockett, Calif., to points in Clark County, Nev., and *rejected or contaminated shipments* of liquid sugar on return. Applicant is authorized to conduct operations in California and Oregon.

HEARING: June 17, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 15473 (Sub No. 3), filed March 30, 1959. Applicant: BEST TRUCK LINES, INC., 321 North Main, P.O. Box 60, Ottawa, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over an alternate route, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Ottawa, Kans., and Kansas City, Mo., over Interstate Highway 35, serving no intermediate or off-route points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Ottawa, Kans., and Kansas City, Mo. Applicant is authorized to conduct regular route operations in Kansas and Missouri, and irregular route operations in Kansas, Missouri, and Oklahoma.

HEARING: June 25, 1959, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 36.

No. MC 16007 (Sub No. 21), filed January 28, 1959. Applicant: CONTRACT FREIGHTERS, INC., 3105 East Seventh Street, Joplin, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *contract or common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, on pallets or other than on pallets, from Okmulgee and Sapulpa, Okla., to points in Iowa and Missouri, other than those located in the St. Louis and Kansas City Commercial Zones, and *empty containers or other such incidental facilities* (not specified) including pallets used in transporting the commodities specified in this application and *damaged or rejected shipments* of glass containers on return. Applicant is authorized to conduct contract carrier operations in Arkansas, Illinois, Indiana, Iowa, Kansas, Missouri, Minnesota, Nebraska, Oklahoma, and Wisconsin.

NOTE: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier, assigned Docket No. MC 16007 (Sub No. 18).

HEARING: June 10, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 17683 (Sub No. 21), filed February 13, 1959. Applicant: DAVIS TRANSPORT, INC., 73 Emerald Street, Keene, N.H. Applicant's representative: John J. Graham, 144 Bowdoin Street, Boston 8, Mass. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, trans-

porting: (1) *Petroleum products*, in bulk, in tank vehicles, (a) from Waltham, Mass., to Hillsboro, Keene, Peterborough and Walpole, N.H., and Bellows Falls, Vt., and (b) from New Haven and Hartford, Conn., to Hillsboro, Keene, Peterborough, and Walpole, N.H., and Bellows Falls, Vt.; (2) *Kerosene and fuel oil*, from Waltham, Mass., to Walpole, N.H., and (3) *Damaged, defective, rejected, or returned shipments* of the above-specified commodities, from the above-described destination points to the respective origin points. Applicant is authorized to conduct operations in Massachusetts, New Hampshire, Rhode Island, and Vermont.

HEARING: June 8, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 20793 (Sub No. 31), filed April 20, 1959. Applicant: WAGNER TRUCKING CO., INC., Jobstown, N.J. Applicant's representative: G. Donald Bullock, 211 East 51st Street, New York 22, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Lehigh, Montgomery, and Northampton Counties, Pa., to points in New Jersey, and *empty containers or other such incidental facilities* used in transporting cement, on return. Applicant is authorized to conduct operations in New Jersey, Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Ohio, and the District of Columbia.

HEARING: May 25, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lawrence A. Van Dyke, Jr., for the purpose of receiving applicant's evidence.

No. MC 28132 (Sub No. 52), filed February 27, 1959. Applicant: HVIDSTEN TRANSPORT, INC., 2821 Main Avenue, Fargo, N. Dak. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Dakota County, Minn., which are north of a line comprising the southern boundaries of Burnsville, Lebanon, Rosemont, Nininger and Hastings Townships (extended across Dakota County, Minn.), to points in North Dakota, and *empty containers or other such incidental facilities* (not specified) used in transporting petroleum products on return. Applicant is authorized to conduct operations in North Dakota, Minnesota, Wisconsin, Montana, and Michigan.

NOTE: Applicant states that it is authorized to perform the above transportation and the purpose of this application is (1) to clarify applicant's authority to perform the above transportation, and (2) to present proof of public convenience and necessity for the service and to receive, as a result of this proceeding such additional authority as may be required.

HEARING: June 15, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Joint Board No. 24, or, if

the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 29079 (Sub No. 8), filed April 6, 1959. Applicant: BRADA CARTAGE COMPANY, a corporation, 4001 Central, Detroit, Mich. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, between Toledo, Ohio, and points in Indiana. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, and Ohio.

HEARING: June 10, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 9.

No. MC 29886 (Sub No. 133), filed October 24, 1958. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles M. Pieroni, 523 Johnson Building, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, earth moving and road making implements, machinery, equipment and related articles, tractors, and tractor parts and show equipment*, from Portland, Oreg., to points in Alaska, and *damaged shipments* of the above described commodities on return. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 15, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Oreg., before Examiner Michael B. Driscoll.

No. MC 30224 (Sub No. 19), filed March 2, 1959. Applicant: TRANSPORT SERVICE, INC., 2d Capitol Street, Yankton, S. Dak. Applicant's attorney: James T. Goetz, 115½ West Third Street, Yankton, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, (1) from Norfolk, Nebr., and points within 10 miles thereof to points in South Dakota, Iowa, Minnesota, North Dakota, and Nebraska; (2) from Yankton, S. Dak., and points within 10 miles thereof to points in Nebraska, Iowa, Minnesota, North Dakota, and South Dakota. Applicant is authorized to conduct operations in Iowa, Kansas, Nebraska, and South Dakota.

HEARING: June 19, 1959, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Examiner Herbert L. Hanback.

No. MC 31879 (Sub No. 8), filed March 20, 1959. Applicant: EXHIBITORS FILM DELIVERY & SERVICE CO., INC., 120 West 17th Street, Kansas City 8, Mo. Applicant's attorney: Carl V. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics and toilet preparations*, between Kansas City, Mo., on the one hand, and, on the other, points in Kansas north and west of a line beginning at the Missouri-Kansas State line and extending along U.S. Highway 54 to junction Kansas Highway 99, thence along Kansas Highway 99 to the Kansas-Oklahoma State

line, including points on the indicated portions of the highways specified. Applicant is authorized to conduct operations in Missouri, Kansas, and Nebraska.

HEARING: June 18, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 36.

No. MC 31879 (Sub No. 9), filed April 13, 1959. Applicant: EXHIBITORS FILM DELIVERY & SERVICE CO., INC., 120 West 17th Street, Kansas City 8, Mo. Applicant's attorney: Carl V. Kretsinger, 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, restricted to shipments having immediately prior or subsequent movement by aircraft, between Municipal Airport, Mid-Continental-International Airport, and Fairfax (Field) Airport, at or near Kansas City, Mo., and Kansas City, Kans., on the one hand, and, on the other, points in Missouri and Kansas. Applicant is authorized to conduct operations in Kansas, Missouri, and Nebraska.

HEARING: June 22, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 36.

No. MC 35320 (Sub No. 63), filed February 24, 1959. Applicant: T.I.M.E. INCORPORATED, 2604 Texas Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., Legal Dept., T.I.M.E. Incorporated (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, except sand, gravel, coal, livestock and articles not suitable for transportation in standard equipment, serving Stone Mountain, Ga., as an off-route point in connection with applicant's authorized regular route between Cincinnati, Ohio, and Atlanta, Ga. (Route 37), and other routes in Certificate No. MC 35320. Applicant is authorized to conduct operations in Oklahoma, Texas, New Mexico, Arizona, California, Missouri, Illinois, Indiana, Tennessee, Arkansas, Kentucky, Ohio, and Georgia.

HEARING: June 9, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 101, or, if the Joint Board waives its right to participate, before Examiner Mack Myers.

No. MC 35628 (Sub No. 224), filed March 13, 1959. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. Applicant's attorneys: Warner, Norcross & Judd and Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except Class A and B explosives, household goods as defined by the Commission, and commodities in bulk (except scrap metal in bulk), serving Holmesville (Holmes County), Ohio, as an intermediate point in connection with applicant's author-

ized regular route operations between Wooster, Ohio, and Coshocton, Ohio. Applicant is authorized to conduct operations in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 10, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 38465 (Sub No. 3), filed January 29, 1959. Applicant: GEORGE'S TRANSPORTATION CO., INC., Pier No. 5, Pratt Street, Baltimore 2, Md. Applicant's attorney: Francis W. McInerney, Commonwealth Building, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, automobiles, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving points on Long Island, N.Y., and Odenton, Md., as off-route points in connection with applicant's authorized regular route operations between Alexandria, Va., and New York, N.Y. Applicant is authorized to conduct operations in Virginia, New York, New Jersey, Connecticut, Pennsylvania, and Delaware.

NOTE: The application is accompanied by a Petition for Reconsideration and/or other special relief looking toward the reopening of the "Grandfather" application No. MC 38465.

HEARING: June 2, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney, to be held jointly with the issues raised in the petition in No. MC 38465.

No. MC 45386 (Sub No. 8), filed April 2, 1959. Applicant: BEE LINE TRUCK DISPATCH, a corporation, 744 Folger Street, Berkeley, Calif. Applicant's attorney: Marvin Handler, 625 Market Street, San Francisco 5, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Oxidizing materials*, other than liquid, when intended to be used with explosives, (1) from Creed and Oakland, Calif., and points within 20 miles of Oakland, to points in Arizona, Idaho, Montana, New Mexico, Utah, Washington, Oregon, and Nevada. (2) Between Trevarno, Creed, and Oakland, Calif., and points within 20 miles of Oakland, on the one hand, and, on the other, points in California. (3) From Oakland, Calif., and points within 20 miles thereof, to the International Boundary between the United States and Mexico at San Ysidro and Calexico, Calif. Applicant is authorized to conduct operations in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington.

NOTE: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier, assigned Docket No. MC 45386 (Sub No. 7). Applicant states it has been hauling oxidizing materials with explosives for a

number of years in the belief that they are included within its present authority. The purpose of the application is to clarify the operating rights by including oxidizing materials specifically.

HEARING: June 17, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 47038 (Sub No. 17), filed March 16, 1959. Applicant: SHIP-BY-TRUCK COMPANY, a corporation, doing business as GRAHAM SHIP-BY-TRUCK CO., 1321 West Eighth Street, Kansas City 1, Mo. Applicant's attorney: Carl V. Kretsinger, 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Natural Storage Company, Inc., warehouse at or near Loring, Kans., as an off-route point in connection with applicant's authorized regular route operations between Kansas City, Mo., and Leavenworth, Kans. Applicant is authorized to serve the above off-route point in Certificate No. MC 47038 (Sub No. 14) restricted to pickup of shipments only and further restricted to transportation of traffic originating at the described warehouse. By this application applicant seeks removal of the restrictions to serve this off-route point. Applicant is authorized to conduct operations in Kansas and Missouri.

HEARING: June 26, 1959, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 52.

No. MC 52858 (Sub No. 78), filed March 30, 1959. Applicant: CONVOY COMPANY, an Oregon corporation, 3900 Northwest Yeon Avenue, Portland 10, Ore. Applicant's attorney: Marvin Handler, 625 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks and busses*, except trailers, in initial and secondary movements, in truckaway service, from Ogden and Salt Lake City, Utah to points in Colorado, Idaho, Kansas, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Wisconsin, and Wyoming. Applicant is authorized to conduct operations in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE: Applicant states that the above requested authority will be restricted to the transportation of shipments which have had a prior movement in substituted rail-for-motor service, and further restricted to automobiles, trucks and busses which have been manufactured or assembled at Ford Motor Company assembly plants located (a) at Milpitas, Calif., and (b) at the intersection of Rosemead and Washington Boulevards, Los Angeles County, Calif.

HEARING: June 16, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 55811 (Sub No. 51), filed March 30, 1959. Applicant: CRAIG TRUCKING, INC., Albany, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers, sheet iron or steel, and parts thereof, materials and supplies* used or useful in the manufacture, packing and shipping thereof, between Hamilton, Ohio, and points in that part of Indiana on and south of a line commencing at the Indiana-Ohio State line and extending west along U.S. Highway 30 to junction Indiana Highway 29, thence on and east of Indiana Highway 29 to Indianapolis, Ind., thence on and east of Indiana Highway 37 to Paoli, Ind., thence on and north of U.S. Highway 150 to the Ohio River, and thence on and north of the Ohio River to the Indiana-Ohio State line. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, West Virginia, and Wisconsin.

HEARING: May 22, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 60.

No. MC 59117 (Sub No. 11), filed February 6, 1959. Applicant: ELLIOTT TRUCK LINE, INC., P.O. Box 1, Vinita, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and fertilizer solutions*, in bulk, in tank vehicles, from the site of the Grand River Chemical Company plant, near Pryor, Okla., to points in Illinois, Indiana, Iowa and Nebraska, and *empty containers*, and *rejected shipments* of feed and fertilizer solutions, on return. Applicant is authorized to conduct operations in Missouri, Oklahoma, Kansas, Arkansas, Texas, Louisiana, and Mississippi.

HEARING: June 8, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 62056 (Sub No. 5), filed March 26, 1959. Applicant: PAUL E. SCOTT, doing business as SCOTT TRUCK LINE, 321 East 13th, Hutchinson, Kans. Applicant's attorney: John E. Jandera, 641 Harrison Street, Topeka, Kans. Authority sought to operate as a *common or contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bags and packages, from Hutchinson, Kans., to points in Colorado.

Note: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a common or contract carrier in No. MC 62056 (Sub No. 4).

HEARING: June 25, 1959, at the Hotel Kansan, Topeka, Kans., before Joint Board No. 43.

No. MC 64462 (Sub No. 1), filed March 23, 1959. Applicant: FITCHBURG TRUCKING COMPANY, a corporation, 244 Walton Street, Fitchburg, Mass. Applicant's attorney: Joseph A. Kline, 185 Devonshire Street, Boston, Mass.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, other than newsprint or carbonized print, from Fitchburg, Mass., to Concord, N.H., and *empty containers or other such incidental facilities* used in transporting the above-described commodity, and *rejected shipments thereof*, on return.

Note: Applicant states the proposed service will be for Fitchburg Paper Company of Fitchburg, Mass.

HEARING: June 9, 1959, at the New Post Office and Court House Building, Boston, Mass., before Joint Board No. 20, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 67583 (Sub No. 3), filed March 27, 1959. Applicant: KANE TRANSFER COMPANY, a corporation, 2100 Fifth Street, N.E., Washington 2, D.C. Applicant's attorney: Spencer T. Money, Mills Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as are dealt in by retail and chain grocery and food business houses, from the warehouse of the Grand Union Co., at 1060 West Virginia Avenue N.E., Washington, D.C., to Grand Union stores in Fairfax, Va., and Rockville and Hagerstown, Md., and (2) *Rejected, damaged, and returned shipments* of the above-specified commodities and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, from the above-specified destination points to the above-specified origin point. Applicant is authorized to conduct operations in Maryland, Virginia, and the District of Columbia.

Note: Applicant has common carrier authority under MC 9859, dated July 3, 1958. Dual operations under section 210 may be involved. Any duplication with present authority to be eliminated.

HEARING: June 5, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 68.

No. MC 69116 (Sub No. 48), filed March 2, 1959. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago 8, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities*, except those of unusual value, livestock, high explosives, automobiles, household goods as defined by the Commission, in truckload lots, and commodities requiring special equipment, between Worcester and Springfield, Mass., and Hartford, New Haven, and Bridgeport, Conn., on the one hand, and, on the other, points in Connecticut east of a line beginning at the Massachusetts-Connecticut State line and extending along U.S. Highway 5 to East Hartford, thence along U.S. Highway 44 (formerly also U.S. Highway 5), to Hartford, thence south along Maple Avenue (formerly U.S. Highway 5), to junction U.S. Highway 5, thence along U.S. Highway 5 to junction Alternate U.S. Highway 5 north of Meriden,

thence along Alternate U.S. Highway 5 (formerly U.S. Highway 5) via Meriden to junction U.S. Highway 5, south of Meriden, thence along U.S. Highway 5 to North Haven, and thence along Alternate U.S. Highway 5 (formerly U.S. Highway 5), to New Haven, Conn.; and points in Massachusetts and Rhode Island south and east of a line extending from Boston, Mass., along Massachusetts Highway 9 to Worcester, Mass., and thence south to Westerly, R.I. Applicant is authorized to conduct operations in Connecticut, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Wisconsin, and the District of Columbia.

Note: Applicant seeks the following restriction: The service proposed above is to be restricted to the transportation, to the extent authorized, of traffic moving to and from points on and west of a line beginning at Elkhart, Ind., and extending via Fort Wayne and Indianapolis to Vincennes, Ind. Applicant states it is authorized, in Certificate MC 69116 Sub No. 47, to transport the above-named commodities between Providence, R.I., on the one hand, and, on the other, the above-described territory in Connecticut, Massachusetts, and Rhode Island, subject to the same restriction outlined above; that this application is, in effect, a request for authority to serve the additional gateways in the conduct of operations between applicant's authorized points on and west of a line beginning at Elkhart and extending via Fort Wayne and Indianapolis to Vincennes, Ind., on the one hand, and, on the other, the above-described territory in Connecticut, Massachusetts, and Rhode Island as set forth in Certificate MC 69116 Sub No. 47.

HEARING: June 9, 1959, at the New Post Office and Court House Building, Boston, Mass., before Joint Board No. 134, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 69274 (Sub No. 3), filed March 5, 1959. Applicant: M & R TRANSPORTATION CO., INC., 147 Park Street, Akron, Ohio. Applicant's attorney: Frederick A. Babson, Jr., 2001 Massachusetts Avenue N.W., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between junction U.S. Highway 1 and Connecticut Highway 95, east of New London, Conn., and junction Rhode Island Highways 84 and 3, north of Ashaway, R.I., from junction U.S. Highway 1 and Connecticut Highway 95 approximately two miles east of New London, over Connecticut Highway 95 to junction Connecticut Highway 84, thence over Connecticut Highway 84 to the Connecticut-Rhode Island State line, thence over Rhode Island Highway 84 to junction Rhode Island Highway 3, north of Ashaway, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between New York, N.Y., and Boston, Mass. Applicant is authorized to conduct regular route operations

in Connecticut, Massachusetts, New Jersey, New York and Rhode Island, and irregular route operations in the above-named States and in Pennsylvania.

HEARING: June 16, 1959, at the U.S. Court Rooms, Hartford, Conn., before Joint Board No. 252, or if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 71169 (Sub No. 4), filed April 13, 1959. Applicant: THE B & F TRANSPORTER COMPANY, a corporation, 1221 East Bowman Street, Wooster, Ohio. Applicant's attorney: Taylor C. Burneson, 3510 Leveque-Lincoln Tower, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, serving Fredericksburg, Ohio, as an off-route point in connection with applicant's authorized regular route operations to and from Wooster, Ohio. Applicant is authorized to conduct operations between specified points in Ohio.

HEARING: June 10, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 72322 (Sub No. 1), filed March 18, 1959. Applicant: LOWDER TRANSPORTATION, INC., 26 Prospect Street, Woburn, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wool, wool tops, noils and wool waste*, between Penacook and Ashland, N.H., on the one hand, and, on the other, points in Massachusetts; (2) *building materials and supplies*, between Everett, Mass., and points within 10 miles thereof, on the one hand, and, on the other, points in Massachusetts, Maine, New Hampshire, Vermont, and Rhode Island. Applicant is authorized to conduct operations in New Hampshire, Massachusetts, Rhode Island, and Vermont.

HEARING: June 11, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 72442 (Sub No. 8), filed February 5, 1959. Applicant: AKERS MOTOR LINES, INCORPORATED, P.O. Box 79, Gastonia, N.C. Applicant's attorney: Edgar Watkins, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, tobacco, liquor, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Gordon and McIntyre, Ga., as off-route points in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, District of Columbia, Georgia, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Virginia.

HEARING: June 2, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 101, or, if the Joint Board waives its right to participate, before Examiner Mack Myers.

No. MC 79695 (Sub No. 18) (CLARIFICATION), filed March 19, 1959, published April 8, 1959 at page 2704. Applicant: STEEL TRANSPORTATION CO., INC., 4000 Cline Avenue, East Chicago, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-ferrous metals*, when moving in the same vehicle at the same time with steel, iron castings, forgings, and iron and steel articles, from Chicago, Ill., to Detroit, Mich. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Ohio, Missouri, and Kentucky.

HEARING: Remains as assigned May 21, 1959, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 73.

No. MC 80428 (Sub No. 30), filed March 24, 1959. Applicant: McBRIDE TRANSPORTATION, INC., Main Street, Goshen, N.Y. Applicant's attorney: Martin Werner, 295 Madison Avenue, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrups, blends or mixtures of corn syrup and liquid sugar and/or invert sugar*, in bulk, in tank vehicles, (1) from New York and Yonkers, N.Y., to Williamsport, Milton, Berwick, Hazelton, Kingston, Scranton and Wilkes-Barre, Pa., Bridgeport, New Haven, and New London, Conn., Bridgeport, Fairfield, Bridgeton, Asbury Park, New Brunswick, and Trenton, N.J., Boston, Mass., points in Ohio, Ellenville, and Highland, N.Y., and points in that portion of New York, on, north, and west of a line beginning at the Pennsylvania-New York State line near Hancock, N.Y., and extending along unnumbered highway to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to Grand Gorge, N.Y., thence along New York Highway 23 to Catskill, N.Y., thence along unnumbered highway to Athens, N.Y., thence across the Hudson River, and thence along New York Highway 23 through Hudson, N.Y., to the New York-Massachusetts State line; (2) from Long Island City, N.Y., to Baltimore and Annapolis, Md., and Pittsburgh, Pa. Applicant is authorized to conduct operations in New York, Pennsylvania, New Jersey, Connecticut, Ohio, Maryland, Massachusetts, and Vermont.

NOTE: Applicant states that the purpose of this application is to broaden the commodity description in its Certificate No. MC 80428 and that no new service points are involved.

HEARING: May 28, 1959, at 346 Broadway, New York, N.Y., before Examiner Donald R. Sutherland.

No. MC 80847 (Sub No. 4), filed April 8, 1959. Applicant: J. B. ACTON, INC., 2103 Southwest Boulevard, Tulsa, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over irregular routes, transporting: *Oilfield equipment, machinery and materials*, between, points in the Kansas City, Mo.-Kansas City, Kans., Commercial Zone as defined by the Commission in 31 M.C.C. 5 and 54 M.C.C. 288. Applicant is authorized to transport the same commodities between points in Kansas, Oklahoma, Texas, New Mexico, Arkansas, and Louisiana.

HEARING: June 19, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 36.

No. MC 87231 (Sub No. 12), filed April 6, 1959. Applicant: BAY & BAY TRANSPORTER CO., INC., 315 Ninth Avenue North, Minneapolis, Minn. Applicant's attorney: Donald A. Morken, Eleven Hundred First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, (1) from Mason City, Iowa, and points within 10 miles thereof to points in Minnesota and Wisconsin; (2) from Duluth, Minn., to points in Wisconsin and the Upper Peninsula of Michigan. Applicant is authorized to conduct operations in Minnesota, Iowa, South Dakota, North Dakota, Wisconsin, and Michigan.

HEARING: June 4, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 89369 (Sub No. 10), filed March 13, 1959. Applicant: JOART TRUCKING CO., a corporation, 133 Albany Street, P.O. Box 332, New Brunswick, N.J. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids*, except chemicals, *coal tar, coal tar products, petroleum and petroleum products*, in bulk, in tank vehicles, between Bayonne, Newark, Boonton, Edgewater, Harrison, Jersey City, Weehawken, and Elizabeth, N.J., and points on Staten Island, N.Y., on the one hand, and, on the other, points in Delaware, excluding vegetable and fish oil to Wilmington, those in Maryland, excluding vegetable and fish oil to Baltimore, those in Pennsylvania west of a line beginning at the Pennsylvania-Maryland state line near Delta, Pa., and extending north through Lancaster to the Pennsylvania-New York state line, and those in Virginia and the District of Columbia. Applicant is authorized to conduct operations in Pennsylvania, Delaware, New Jersey, New York, Connecticut, and Rhode Island.

HEARING: June 23, 1959, at 346 Broadway, New York, N.Y., before Examiner Lucian A. Jackson.

No. MC 91910 (Sub No. 19), filed January 26, 1959. Applicant: WM. O'DONELL, INC., Box 367, Route 1, Elkhorn, Wis. Applicant's attorney: William C. Dineen, 341 Empire Building, 710 North Plankinton Avenue, Milwaukee 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *liquid legume inoculation*, in

bulk, in tank vehicles, for the account of The Nitragin Company, Inc., from Milwaukee, Wis., to Minneapolis, Minn., (2) *dairy products* as described in Section B of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from the sites of the plants of the Dean Milk Company at Chemung, Rockford, Pecatonica, Belvidere, Franklin Park, and Huntley, Ill., to the site of the Distribution Center of the Dean Milk Company at Flint, Mich., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application and *damaged or rejected shipments* of the above-specified commodities on return. Applicant is authorized to conduct regular route operations in Illinois and Wisconsin and irregular route operations in Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, Texas, and Wisconsin.

HEARING: May 29, 1959, at the Hotel Schroeder, Milwaukee, Wis., before Examiner Thomas F. Kilroy.

No. MC 92983 (Sub No. 347), filed March 12, 1959. Applicant: ELDON MILLER, INC., 330 East Washington, Iowa City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, between Muskogee, Okla., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, and Texas. Applicant is authorized to conduct operations in all points in the United States except points in Arizona, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and Alaska.

HEARING: June 12, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 95540 (Sub No. 301), filed February 11, 1959. Applicant: WATKINS MOTOR LINES, INC., a corporation, Cassidy Road, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packing houses*, from Duluth, Minn. to points in Alabama, Florida, Georgia, Mississippi, South Carolina, and to points in Louisiana east of the Mississippi River including the Commercial Zones of Baton Rouge and New Orleans, La., and to Memphis, Tenn. Applicant is authorized to conduct operations in Alabama, Arkansas, California, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

HEARING: June 1, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minne-

apolis, Minn., before Examiner Herbert L. Hanback.

No. MC 96323 (Sub No. 2), filed March 23, 1959. Applicant: MERLIN HERMANN, Luverne, Minn. Applicant's attorney: Mort B. Skewes, Luverne, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Livestock bunk feeders, poultry brooder stoves, hens' nests and cages, poultry and livestock building ventilation equipment, chimney caps, poultry equipment, water softeners, and pig-feeding equipment*, crated and uncrated, from the site of the A. R. Wood Manufacturing Company plant, Luverne, Minn., to points in North Dakota, South Dakota, Montana, Wyoming, Colorado, Nebraska, Kansas, Missouri, Iowa, Illinois, Wisconsin, Michigan, Indiana, Ohio, Pennsylvania, Louisiana, Oklahoma, and Texas; and (2) *Raw steel, raw aluminum, steel supplies, aluminum supplies, dies, presses, plant machinery, brooder bricks, pressed brooder diaphragms* (supplies and materials specifically for use of the A. R. Wood Manufacturing Company at Luverne, Minn.), and *foggers* (partially manufactured units for use in poultry brooders with the A. R. Wood Manufacturing Company name stamp thereon), and any other *materials and supplies* used by the A. R. Wood Manufacturing Company in manufacturing and fabricating process, from Sioux Falls, S. Dak., Denver, Colo., Omaha, Nebr., Sioux City, Iowa, Chicago, Ill., Milwaukee, Wis., Wishawaka, Ind., Sebring and Toledo, Ohio, Canonsburg and Erie, Pa., Shreveport, La., Burleson, Tex., Bartlesville, Okla., and Sun Prairie, Wis., to the site of the A. R. Wood Manufacturing Company plant, in Luverne, Minn. Applicant is authorized to conduct operations in Iowa, Minnesota, and South Dakota.

NOTE: Applicant states he proposes to operate over U.S. Trunk highways, State Trunk highways, County and local roads to points of destination.

HEARING: June 22, 1959, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner Herbert L. Hanback.

No. MC 96858 (Sub No. 2), filed April 1, 1959. Applicant: JOE P. CABRAL, doing business as L. A. EUREKA LINES, 545 South Greenwood Avenue, Montebello, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish, fresh or frozen, including fish bladders and fish livers, foodstuffs, vegetables or vegetable preparations, fruits or vegetables, dehydrated, dried or evaporated, fruits, fresh (not cold-pack or frozen), or vegetables, fresh or green (not cold-pack or frozen), and roofing or siding, or roofing or siding materials*, between Eureka, Calif., and points within 25 miles thereof, on the one hand, and, on the other, San Francisco, Oakland, Alameda, Berkeley, Stockton, and points in the Los Angeles and Los Angeles Harbor Commercial Zones, Calif.

NOTE: Applicant is authorized to conduct operations under the Second Proviso of section 206(a) (1) in No. MC 96858, supported

by Decision 55204 of the California Public Utilities Commission. Applicant states the proposed operations are the same as those set forth in the California Decision; and that he seeks to convert his registered authority into a Certificate of Public Convenience and Necessity.

HEARING: June 4, 1959, at the Federal Building, Los Angeles, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 98707 (Sub No. 5), filed March 27, 1959. Applicant: MILES MOTOR TRANSPORT SYSTEM, a corporation, P.O. Box 510, Stockton, Calif. Applicant's attorney: Edward M. Berol, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, and in sacks, from Kentucky House, Calif. (approximately 2½ miles southwest of San Andreas, Calif.), to San Francisco, Oakland, Alameda, Richmond, Stockton, and Redwood City, Calif. Applicant is authorized to conduct operations in California.

HEARING: June 15, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 99121 (Sub No. 1), filed December 24, 1958. Applicant: EDWARD D. BORENSTEIN, doing business as R. B. COLBY CO., 9 Gerald Road, Stoneham 80, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea and bananas*, from Ports of Entry on the boundary between the United States and Canada, in Maine, to points in Maine, New Hampshire, Massachusetts, New York, New Jersey, Ohio, Indiana, and Illinois. Applicant is authorized to conduct operations under the Second Proviso of section 206(a) (1) of the Interstate Commerce Act No. MC 99121, in the transportation of general commodities anywhere within the Commonwealth of Massachusetts.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act, it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 5, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 100666 (Sub No. 31), filed January 22, 1959. Applicant: MELTON TRUCK LINES, INC., Box 128, Crossett, Ark. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials and asbestos siding*, from Shreveport, La., to points in Mississippi and Alabama.

HEARING: July 1, 1959, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 165,

or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 100666 (Sub No. 32), filed February 6, 1959. Applicant: MELTON TRUCK LINES, INC., Crossett, Ark. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing materials and asbestos siding*, from Dallas, Tex., to points in New Mexico. Applicant is authorized to conduct operations in Texas, Arkansas, Kansas, Missouri, Oklahoma, Louisiana, New Mexico, Mississippi, Tennessee, Kentucky, Illinois, Florida, Alabama, Georgia, Indiana, and Iowa.

HEARING: June 16, 1959, at the Baker Hotel, Dallas, Tex., before Joint Board No. 33, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 101075 (Sub No. 56), filed March 2, 1959. Applicant: TRANSPORT, INC., 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Dakota County, Minn., located north of the southern boundaries of Burnsville, Lebanon, Rosemont, Nininger, and Hastings Townships, Minn., to points in North Dakota. Applicant is authorized to conduct operations in Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

HEARING: June 15, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Joint Board No. 24, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 101075 (Sub No. 57), filed April 13, 1959. Applicant: TRANSPORT, INC., 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk commodities*, both liquid and dry, from points in Minnesota, to points in the Upper Peninsula of Michigan, Wisconsin, Iowa, North Dakota, South Dakota, and points on the Minnesota-Canadian boundary. Applicant is authorized to conduct operations in Nebraska, Iowa, North Dakota, Minnesota, South Dakota, Wisconsin, Wyoming, Montana, and Michigan.

HEARING: June 8, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 101126 (Sub No. 54), STILL-PASS TRANSIT COMPANY, INC., EXTENSION—SPECIFIED LIQUID COMMODITIES (Cincinnati, Ohio). The following covers an Order of the Commission, division 1, entered in the subject proceeding April 16, 1959: It appearing,

that by report and order entered in this proceeding on August 13, 1958, Division 1 authorized issuance to applicant of an interim permit to perform certain operations as a for-hire carrier by motor vehicle in interstate or foreign commerce; It further appearing, that an interim permit was issued to applicant on January 9, 1959; It further appearing, that by petition, filed February 3, 1959, applicant seeks to add Emery Industries, Inc., of Cincinnati, Ohio, and Lever Brothers Company, of Baltimore, Md., to the list of shippers for whom applicant already may perform service; Upon consideration of the record in the above-entitled proceeding, and of said petition; and good cause appearing therefor: *It is ordered*, That § 1.101(e) of the general rules of practice be, and it is hereby, waived, and said petition be, and it is hereby, accepted for filing: *It is further ordered*, That the said report be, and it is hereby, modified by adding "and Emery Industries, Inc., of Cincinnati, Ohio; and Lever Brothers Company, of Baltimore, Md." after "and Proctor and Gamble Company;" on line 30 of sheet 16 thereof: *It is further ordered*, That notice of this action be published in the FEDERAL REGISTER.

No. MC 102616 (Sub No. 671), filed March 5, 1959. Applicant: COASTAL TANK LINES, INC., Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from North Charleroi, Pa., to points in Chautauqua, Cattaraugus, Erie, and Allegany Counties, N.Y.; points in Ohio on and east of a line beginning at Sandusky, Ohio and extending along Ohio Highway 4 to junction U.S. Highway 23, thence along U.S. Highway 23 through Marion, Ohio, to Columbus, Ohio, thence over U.S. Highway 33 to the Ohio-West Virginia State line; and to those in West Virginia State line to the Virginia-West Virginia State line, and on and west of U.S. Highway 220 from the Virginia-West Virginia State line to the Maryland-Pennsylvania State line. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 11, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 103051 (Sub No. 67), filed February 9, 1959. Applicant: WALKER HAULING CO., INC., 624 Penn Avenue NE., Atlanta 8, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote*, in bulk, in tank vehicles, from points in Hamilton County, Tenn., to points in

Clayton, Cobb, De Kalb, Fulton, and Gwinnett Counties, Ga. Applicant is authorized to conduct operations in Georgia, Tennessee, Alabama, Mississippi, North Carolina, Delaware, Kentucky, Maryland, Virginia, South Carolina, Louisiana, and Texas.

HEARING: June 1, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 238, or, if the Joint Board waives its right to participate, before Examiner Mack Myers.

No. MC 103051 (Sub No. 68), filed February 9, 1959. Applicant: WALKER HAULING CO., INC., 624 Penn Avenue NE., Atlanta 9, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pine oil*, in bulk, in tank vehicles, from points in Marion County, Miss., to points in Clayton, Cobb, De Kalb, Fulton, and Gwinnett Counties, Ga. Applicant is authorized to conduct operations in Alabama, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

HEARING: June 1, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 340, or, if the Joint Board waives its right to participate, before Examiner Mack Myers.

No. MC 103051 (Sub No. 72), filed March 19, 1959. Applicant: WALKER HAULING CO., INC., 624 Penn Avenue NE., Atlanta 8, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum emulsion sizing-defoaming compound, hydraulic fluids* other than petroleum, and *foundry core compound liquids*, in bulk, in tank vehicles, from points in Carroll County, Ga., to points in Alabama, Arkansas, Florida, Louisiana, Oklahoma, South Carolina, and Tennessee. Applicant is authorized to conduct operations in Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

HEARING: June 1, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 103378 (Sub No. 122), filed March 20, 1959. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay slurry*, in bulk, in tank vehicles, between points in Georgia, on the one hand, and, on the other, points in Florida, Alabama, Mississippi, Louisiana, Texas, Tennessee, South Carolina, North Carolina, Virginia, and Maryland. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

HEARING: June 10, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 103378 (Sub No. 124), filed March 26, 1959. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum sizing emulsion-defoaming compound, hydraulic fluids* other than petroleum, *foundry core compound liquids, and petroleum defoaming compound*, in bulk, in tank vehicles, from Carrollton, Ga., and points within ten (10) miles thereof, to points in Florida, Alabama, South Carolina, Tennessee, Louisiana, Arkansas, and Oklahoma. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

HEARING: June 10, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 103493 (Sub No. 2), filed March 19, 1959. Applicant: ELLSWORTH M. ROBINSON, doing business as ROBINSON TRANSFER CO., 103 North Front Street, La Crosse, Wis. Applicant's attorney: Claude J. Jasper, Suite 616-617 Tenney Building, 110 East Main Street, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses and in connection therewith, equipment, materials and supplies used in the conduct of such business from La Crosse, Wis., to points in Delaware and Dubuque Counties, Iowa;* (2) *Sugar, from Dubuque County, Iowa, to La Crosse, Wis.* Applicant is authorized to conduct operations in Iowa, Minnesota, and Wisconsin.

HEARING: June 4, 1959, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Thomas F. Kilroy.

No. MC 103654 (Sub No. 48), filed April 6, 1959. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 649 Pelham Boulevard, St. Paul, Minn. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk, both liquid and dry, from points in Minnesota, to points in the Upper Peninsula of Michigan, Wisconsin, Iowa, North Dakota, South Dakota, and Minnesota, and Ports of Entry on the United States-Canada boundary line between Minnesota and North Dakota.* Applicant is authorized to conduct operations in Minnesota, Wisconsin, Indiana, Illinois, and North Dakota.

HEARING: June 8, 1959, in Room 926, Metropolitan Building, Second Avenue South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 103993 (Sub No. 117), filed March 19, 1959. Applicant: MORGAN DRIVE-AWAY, INC., 509 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian

Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, designed to be drawn by passenger automobiles, in initial movements, by truckaway method, from Boise, Idaho, to all points in the United States including Alaska;* and (2) *Wheels, tires, axles, springs, racks, undercarriages (complete), and related items (such as nuts, bolts, fasteners, and other incidental paraphernalia to attach wheels, tires, axles, springs, racks and undercarriages), which have been used in connection with the transportation of trailers designed to be drawn by passenger automobiles, from Boise, Idaho, to all points in the United States including Alaska.* Applicant is authorized to conduct operations throughout the United States.

HEARING: June 4, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Examiner Michael B. Driscoll.

No. MC 103993 (Sub No. 119), filed April 7, 1959. Applicant: MORGAN DRIVE-AWAY, INC., 509 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sport cabs and/or truck canopies designed to be loaded on or in a pick-up truck, by truckaway method, from all points in Idaho to all points in the United States;* and (2) *Demountable tops, sides, ends, tailgates, racks, clamps, and related items (such as nuts, bolts, fasteners, and other incidental paraphernalia to attach sport cabs and/or truck canopies for individual usage), which have been used or are to be used in connection with the transportation of sport cabs and/or truck canopies designed to be loaded on or in a pick-up truck, by truckaway method, from all points in Idaho to all points in the United States.* Applicant is authorized to conduct operations throughout the United States.

HEARING: June 4, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Examiner Michael B. Driscoll.

No. MC 104128 (Sub No. 76), filed August 11, 1958. Applicant: CAMPBELL'S SERVICE, a California corporation, 2720 River Avenue, South San Gabriel, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New and used trailers, designed to be drawn by passenger automobiles, in initial and secondary movements, in truckaway service, between points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, on the one hand, and, on the other, points in Alaska;* (2) *trailer undercarriages, springs, wheels, and tires, (restricted to return of such commodities from delivery point of trailer back or origin shipping point, or point of manufacture of assembly, of trailer) from points in Alaska to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.* Applicant is au-

thorized to conduct operations in Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, Montana, North Dakota, South Dakota, Nebraska, Wyoming, Colorado, Kansas, Missouri, Iowa, and Oklahoma.

HEARING: June 3, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 104347 (Sub No. 129), filed March 4, 1959. Applicant: LEAMAN TRANSPORTATION CORPORATION, 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jaskiewicz and V. Baker Smith, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products, in bulk, in tank vehicles, from North Charleroi, Pa., to points in Allegany, Chautauqua, Cattaraugus, and Erie Counties, N.Y.; points in Ohio on and east of a line beginning at Sandusky, Ohio and extending along Ohio Highway 4 to junction U.S. Highway 23, thence along U.S. Highway 23 through Marion, Ohio, to Columbus, Ohio, thence along U.S. Highway 33 to the Ohio-West Virginia State line; and to those in West Virginia and Maryland State line on and north of U.S. Highway 33 from the Ohio-West Virginia State line to the Virginia-West Virginia State line, and on and west of U.S. Highway 220 from the Virginia-West Virginia State line to the Maryland-Pennsylvania State line.* Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: June 11, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 104654 (Sub No. 125), filed April 1, 1959. Applicant: COMMERCIAL TRANSPORT, INC., South 20th Street, Belleville, Ill. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement, in bulk, between points in Kansas and Missouri.* Applicant is authorized to conduct operations in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, and Tennessee.

HEARING: June 19, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 36.

No. MC 105016 (Sub No. 3), filed March 23, 1959. Applicant: KENNETH I. SAUTER, doing business as SAUTER'S TRUCK SERVICE, 1219 Southwest Chenoweth Road, The Dalles, Ore. Applicant's attorney: Harry J. Hogan, 215 East Fourth Street, The Dalles, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Treated and untreated poles, piling, lumber, crossarms, ties and posts, as well as other lumber products, between points in Wasco and Hood River Counties, Ore., and points*

in Washington, Idaho, Montana, and Oregon.

HEARING: June 15, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Oreg., before Examiner Michael B. Driscoll.

No. MC 106398 (Sub No. 117), filed March 26, 1959. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa, Okla. Applicant's representative: O. L. Thee, Vice-President, National Trailer Company, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Oregon to points in the United States, except from Pendleton, Oreg., to points in Colorado, Montana, North Dakota, and Wyoming. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 18, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Oreg., before Examiner Michael B. Driscoll.

No. MC 107227 (Sub No. 73), filed April 1, 1959. Applicant: INSURED TRANSPORTERS, INC., 251 Park Street, San Leandro, Calif. Applicant's attorney: John G. Lyons, Mills Tower, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, except trailers, in secondary movements, in truckaway service, between points in Oregon, on the one hand, and, on the other, points in Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. Applicant is authorized to conduct operations throughout the United States except Alaska.

HEARING: June 17, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Oreg., before Examiner Michael B. Driscoll.

No. MC 107403 (Sub No. 277), filed March 4, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 811-819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from North Charleroi, Pa., (1) to points in Maryland and West Virginia on and north of U.S. Highway 33 from the Ohio-West Virginia State line to the Virginia-West Virginia State line, and on and west of U.S. Highway 220 from the Virginia-West Virginia State line to the Maryland-Pennsylvania State line, (2) to points in Chautauqua, Cattaraugus, Erie, and Allegany Counties, N.Y., and (3) to points in Ohio on and east of a line beginning at Sandusky, Ohio and extending along Ohio Highway 4 to junction U.S. Highway 23, thence along U.S. Highway 23 through Marion, Ohio, to Columbus, Ohio, thence along U.S. Highway 23 through Marion, Ohio, to Columbus, Ohio, thence along U.S. Highway 33 to the Ohio-West Virginia State line. Applicant is authorized to conduct op-

erations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: Dual operations under Section 210 and common control may be involved.

HEARING: June 11, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 107403 (Sub No. 278), filed March 5, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 811-819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, between points in Lucas County, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania (except Philadelphia), West Virginia, and Wisconsin. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: Dual operations under section 210, and common control may be involved.

HEARING: June 2, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Robert A. Joyner.

No. MC 107403 (Sub No. 279), filed March 5, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 811-819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids*, except chemicals, coal tar, coal tar products, petroleum and petroleum products, in bulk, in tank vehicles, between Bayonne, Boonton, Edgewater, Harrison, and Newark, N.J., and Port Ivory and New York, N.Y., on the one hand, and, on the other, points in Delaware, except vegetable and fish oil to Wilmington, points in Maryland, except vegetable and fish oil to Baltimore, points in Pennsylvania on and west of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 222 to Lancaster, Pa., thence along Pennsylvania Highway 501 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Pennsylvania Highway 83, thence along U.S. Highway 122, thence along U.S. Highway 122 to junction U.S. Highway 209, thence along U.S. Highway 209 to junction U.S. Highway 309, thence along U.S. Highway 309 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-New York State

line, and to points in Virginia, and the District of Columbia. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: Dual operations under section 210, and common control may be involved.

HEARING: June 3, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Robert A. Joyner.

No. MC 107403 (Sub No. 280), filed March 5, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lacquers, solvents, varnishes, thinners and surface coating compounds*, in bulk, in tank vehicles, from Cincinnati, Ohio, and Newark, N.J., to points in Florida. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: Dual operations under section 210, and common control may be involved.

HEARING: June 4, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Robert A. Joyner.

No. MC 107403 (Sub No. 284), filed March 27, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 225 South 15th Street, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible tallow and lard*, in bulk, in tank vehicles, from Baltimore, Md., to points in North Carolina. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Maine, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: June 5, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Robert A. Joyner.

No. MC 107403 (Sub No. 285), filed April 2, 1959. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Paul F. Barnes, 811-819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Palm kernel oil*, in bulk, in tank vehicles, from Bayonne, N.J., to Augusta,

Ga., (2) *soybean oil*, in bulk, in tank vehicles, from Kershaw and Hartsville, S.C., and New Bern, N.C., to Bayonne, N.J., (3) *cottonseed oil*, in bulk, in tank vehicles, from Augusta, Ga., and Wilson and Rocky Mount, N.C., to Bayonne, N.J. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, the District of Columbia, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: June 5, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Robert A. Joyner.

No. MC 107515 (Sub No. 309), filed February 25, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Allan Watkins, 214 Grant Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Metal containers*, such as five gallon steel pails, not nested, used in transporting frozen citrus concentrate on outbound movements, from points in Texas, North Carolina, South Carolina, Georgia, Tennessee, Alabama, and Mississippi to Deland, Fla. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

HEARING: June 9, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 107515 (Sub No. 316), filed March 27, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Butter and cheese*, in mixed or straight shipments, in vehicles equipped with mechanical refrigeration, from Minneapolis, Minn., Kiel, Marshfield, and Plymouth, Wis., to points in Alabama, Florida, Georgia, North Carolina, Mississippi, South Carolina, and Tennessee. Applicant is authorized to conduct operations in Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin.

HEARING: June 11, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 108120 (Sub No. 6), filed December 24, 1958. Applicant: KENNEDY MOTOR LINES, INC., 215 43d Street, Brooklyn 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Frozen fruits, frozen berries, and frozen vegetables* from New York, N.Y., and Jersey City and Newark, N.J., to

points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of the Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 19, 1959, at 346 Broadway, New York, N.Y., before Examiner Lucian A. Jackson.

No. MC 108207 (Sub No. 61), filed February 9, 1959. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Unfrozen bakery goods*, moving under refrigeration, from Dallas, Fort Worth, Garland, and Denison, Tex., to points in Kansas, Iowa, Nebraska, Minnesota, and Wisconsin. Applicant is authorized to conduct operations in Texas, Louisiana, Illinois, Michigan, Missouri, Oklahoma, Arkansas, Tennessee, Mississippi, Kansas, Wisconsin, Minnesota, California, Iowa, Nebraska, Kentucky, Pennsylvania, Ohio, Indiana, Arizona, and New Mexico.

HEARING: June 15, 1959, at the Baker Hotel, Dallas, Tex., before Examiner Frank R. Saltzman.

No. MC 108298 (Sub No. 24) (REPUBLICAN), filed April 8, 1959, published issue of April 15, 1959. Applicant: ELLIS TRUCKING CO., INC., 1600 Oliver Avenue, Indianapolis, Ind. Applicant's attorney: Harry E. Yockey, Morris Plan Building, Suite 1406, 108 East Washington Street, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular routes*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Fort Wayne, Ind., and Richmond, Ind., from Fort Wayne over U.S. Highway 27 to its junction with U.S. Highway 40 at Richmond, and return over the same route, serving no intermediate points and serving the junction of U.S. Highways 27 and 40 for joinder purposes only. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Kentucky, Tennessee, Arkansas, Missouri, and Ohio.

NOTE: The purpose of this republication is to show that applicant also conducts operations in Arkansas, Missouri, and Ohio.

HEARING: Remains as assigned May 19, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 72.

No. MC 108449 (Sub No. 84), filed March 23, 1959. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road "C", St. Paul 13, Minn. Applicant's attorney: A. J. Bieberstein, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common*

carrier, by motor vehicle, over *irregular routes*, transporting: *Cement*, in bulk and in bags, in specialized vehicles, from Des Moines and Mason City, Iowa, and points within 10 miles of each, to points in Wisconsin, Illinois, Missouri, Kansas, Nebraska, South Dakota, and Minnesota. Applicant is authorized to conduct operations in Illinois, Iowa, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin.

HEARING: June 2, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 108905 (Sub No. 17), filed March 23, 1959. Applicant: JASPER & CHICAGO MOTOR EXPRESS, INC., Indiana Highways 45 and 56, Jasper, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over a *regular route*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, and commodities in bulk, between Greencastle, Ind., and Louisville, Ky., from Greencastle over Indiana Highway 240 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction U.S. Highway 31E and 31W, thence over U.S. Highways 31E and 31W to Louisville, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between (1) Huntingburg, Ind., and Chicago, Ill., (2) Louisville, Ky., and Palmyra, Ind., and (3) Paoli, Ind., and Palmyra, Ind. Applicant is authorized to conduct operations in Illinois, Indiana, and Kentucky.

HEARING: July 2, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 155.

No. MC 109490 (Sub No. 5), filed January 19, 1959. Applicant: H. W. HED-ING, doing business as HEDING TRUCK SERVICE, Union Center, Wis. Applicant's attorney: Edward Solie, 715 First National Bank Building, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Butter, cheese, and powdered milk*, when transported on a vehicle on which commodities other than those specified in section 203(b)(6) of the Act are also transported at the same time for compensation, from Union Center, Wis., to points in Iowa, Minnesota, and Illinois, except those points in Illinois located in the Chicago Ill., Commercial Zone as defined by the Commission, and *supplies and equipment* used or useful in the production, packaging and distribution of butter, cheese and powdered milk, and *empty containers* therefor on return. Applicant is authorized to conduct operations in Illinois and Wisconsin.

HEARING: June 2, 1959, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Thomas F. Kilroy.

No. MC 110149 (Sub No. 3), filed February 27, 1959. Applicant: DEAN VAN LINES, INC., 18420 South Santa Fe Avenue, Long Beach 7, Calif. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Alaska, on the one hand, and, on the other, points in the Continental United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 8, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 110252 (Sub No. 46), filed January 30, 1959. Applicant: JAMES J. WILLIAMS, INC., North 1108 Pearl Street, Spokane, Wash. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer compounds*, dry, from ports of entry on the International Boundary line between the United States and Canada in Washington, Idaho, and Montana, excepting those ports of entry in Washington west of U.S. Highway 97 and those ports of entry in Montana, east of U.S. Highway 91, to points in Montana.

HEARING: June 26, 1959, at the Davenport Hotel, Spokane, Wash., before Joint Board No. 79, or, if the Joint Board waives its right to participate, before Examiner Michael B. Driscoll.

No. MC 110505 (Sub No. 53), filed February 6, 1959. Applicant: RINGLE TRUCK LINES, INC., 601 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Straight trucks, semi-trailers, or full trailers, with mounted bulk tanks, embodying a self-unloading chain and paddle conveyor, pneumatic conveyor, belt conveyor or pit dump system, for the transportation of bulk commodities other than liquid*, in driveway or truckaway, from Hoopeston, Illinois, to Fowler, Indiana. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: July 1, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 21.

No. MC 110698 (Sub No. 115), filed February 24, 1959. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Greensboro, N.C. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Liquid chemicals*, in bulk, in tank vehicles, from Cambridge, Mass., to Chamblee, Ga. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia.

HEARING: June 2, 1959, at 680 West Peachtree Street, NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 110931 (Sub No. 7), filed February 27, 1959. Applicant: THOMAS MOTOR FREIGHT, INC., 1835 Proctor, Dallas, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, other than pipe used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum, and their products and by-products, between points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, New Mexico, Oklahoma, Tennessee, and Texas. Applicant is authorized to conduct operations in Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

HEARING: June 18, 1959, at the Baker Hotel, Dallas, Tex., before Examiner Frank R. Saltzman.

No. MC 111159 (Sub No. 80), filed February 19, 1959. Applicant: MILLER TRANSPORTERS, LTD., P.O. Box 1123, Highway 80 West, Jackson, Miss. Applicant's attorney: Phineas Stevens, 700 Petroleum Building, P.O. Box 141, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, from points in Jefferson County, Ark., to points in Mississippi and Tennessee. Applicant is authorized to conduct operations in Mississippi, Alabama, Arkansas, Georgia, Louisiana, Tennessee, Florida, Kentucky, Missouri, Oklahoma, Illinois, Indiana, and Ohio.

HEARING: June 30, 1959, at 1 o'clock p.m., U.S. standard time (or 1 o'clock p.m., local daylight savings time, if that time is observed), at the Louisiana Public Service Commission, Baton Rouge, La., before Examiner Frank R. Saltzman.

No. MC 111545 (Sub No. 32), filed March 9, 1959. Applicant: HOME TRANSPORTATION COMPANY, INC., 334 South Four Lane Highway, Marietta, Ga. Applicant's attorney: Allan Watkins, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Road construction machinery and equipment* as described in Appendix VIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, and (b) *Heavy machinery*, except knitting machines, and machine tools, the transportation of which because of size or weight require the use of special equipment or special handling, from points in Illinois, Indiana, Iowa, Kansas, Michigan, Ohio, and

Wisconsin to points in Alabama. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 5, 1959, at 680 West Peachtree Street, NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 111623 (Sub No. 19), filed February 20, 1959. Applicant: SCHWERMANN TRUCKING CO. OF OHIO, a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski, Legal Department, Schwerman Trucking Co. of Ohio (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, in tank vehicles, from the plant site of the Sohio Chemical Company, located in or near Lima, Ohio, to points in Tennessee, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity on return. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Ohio, Pennsylvania, West Virginia, and Wisconsin.

HEARING: June 12, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 209.

No. MC 111812 (Sub No. 70), filed March 23, 1959. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald Stern, 924 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, and *frozen fruit pies*, from St. James, Minn., to Denver, Colo., Salt Lake City, Utah, and points in Washington, Oregon, and California. Applicant is authorized to conduct operations in California, Connecticut, Idaho, Iowa, Maine, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, and Washington.

HEARING: June 11, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Streets, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 111812 (Sub No. 72), filed April 6, 1959. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald Stern, 924 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, from Hartford, Conn., to Sioux Falls and Aberdeen, S. Dak., and *wine*, from Hammondsport, N.Y., to Sioux Falls and Aberdeen, S. Dak. Ap-

plicant is authorized to conduct operations in South Dakota, Washington, Oregon, Minnesota, Iowa, Utah, California, Nebraska, Nevada, North Dakota, Montana, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, New York, Pennsylvania, Idaho, Delaware, Maryland, Michigan, Ohio, Virginia, West Virginia, and the District of Columbia.

HEARING: June 23, 1959, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner Herbert L. Hanback.

No. MC 112076 (Sub No. 6), filed February 24, 1959, published issue of *FEDERAL REGISTER* April 22, 1959, at page 3135. Applicant: LOWELL H. RASMUSSEN, Box 105, Monticello, Utah. Applicant's attorney: Lucy Redd, State Exchange Building, 345 South State, Salt Lake City 1, Utah. Letter received April 15, 1959, advises that the above-named attorney represents applicant.

No. MC 112223 (Sub No. 43), filed April 6, 1959. Applicant: QUICKIE TRANSPORT COMPANY, a Minnesota corporation, 1121 South Seventh Street, Minneapolis 4, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in specialized vehicles, from Des Moines and Mason City, Iowa, and points within 10 miles of each, to points in Wisconsin, Illinois, Missouri, Kansas, Nebraska, South Dakota, and Minnesota. Applicant is authorized to conduct operations in Minnesota, Wisconsin, Iowa, Michigan, and North Dakota.

HEARING: June 2, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Streets, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 112391 (Sub No. 19), filed April 9, 1959. Applicant: HADLEY AUTO TRANSPORT, a corporation, 21732 South Santa Fe, Long Beach, Calif. Applicant's attorney: Phil Jacobson, 510 West Sixth Street, Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *common or contract carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, trucks, and busses*, in secondary movements, in truckaway and driveaway service, from Phoenix, Ariz., and Salt Lake City, Utah, to points in California. Applicant is authorized to conduct operations in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE: A proceeding has been instituted under section 212(c) in No. MC 112391 (Sub No. 16) to determine whether applicant's status is that of a common or contract carrier. Applicant states it seeks no duplicating authority.

HEARING: June 10, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 112750 (Sub No. 37), filed April 3, 1959. Applicant: ARMORED CARRIER CORPORATION, DeBevoise Building, 222-17 Northern Boulevard, Bayside, L.I., N.Y. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place N.W., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transport-

ing: *Such commercial papers, documents and written instruments* (except coin, currency, bullion and negotiable securities), as are used in the business of banks and banking institutions, (1) between points in the Minneapolis-St. Paul, Minn., Commercial Zone, as defined by the Commission, and Duluth, Minn., on the one hand, and, on the other, points in Ashland, Barron, Burnett, Buffalo, Bayfield, Chippewa, Clark, Dunn, Douglas, Eau Claire, Forest, Florence, Iron, Jackson, LaCrosse, Lincoln, Marathon, Oneida, Pepin, Pierce, Polk, Portage, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vilas, Washburn, and Wood Counties, Wis., and points in Minnesota on and east of U.S. Highway 65, extending from the Minnesota-Iowa border to Minneapolis-St. Paul, Minn., and those on and east of Minnesota Highway 65 extending from Minneapolis to its junction with U.S. Highway 210; and (2) between points in the Minneapolis-St. Paul, Minn., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, Duluth, Minn. Applicant is authorized to conduct operations in New York, New Jersey, Connecticut, Pennsylvania, Ohio, West Virginia, Massachusetts, Delaware, Maryland, Virginia, the District of Columbia, Rhode Island, Illinois, Iowa, and Missouri.

HEARING: June 3, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 112822 (Sub No. 20), filed January 16, 1959. Applicant: EARL BRAY, INC., P.O. Box 910, Linwood and North Streets, Cushing, Okla. Applicant's attorney: Erle W. Francis, 214 West Sixth Street, Topeka, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid wax*, in bulk, in tank vehicles, (1) from Tulsa, Okla., and points within 20 miles thereof, to points in Wisconsin and Minnesota; (2) from Ponca City, Okla., and points within 20 miles thereof, to points in Wisconsin and points in Minnesota except Minneapolis and St. Paul, Minn.; and *damaged or rejected shipments* of liquid wax, on return. Applicant is authorized to conduct operations in Kansas, Texas, Oklahoma, Arkansas, Illinois, Iowa, Mississippi, Missouri, Nebraska, Indiana, Louisiana, Kentucky, Tennessee, and Minnesota.

HEARING: June 9, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 113514 (Sub No. 48), (REPUBLICATION), filed February 2, 1959, published issue of April 22, 1959. Applicant: SMITH TRANSIT, INC., 305 Simons Building, Dallas 1, Tex. Applicant's attorney: W. D. White, 1900 Mercantile Dallas Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tall oil* (other than crude), and *fatty acids of vegetable oil*, liquid, in bulk, in tank vehicles, from Panama City, Fla., to points in Texas and Oklahoma, and *rejected and contaminated shipments* of the above commodities on return. Applicant is authorized to conduct operations in Ala-

bama, Arkansas, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas.

NOTE: The purpose of this republication is to clarify the commodity proposed to be transported, tall oil, as *tall oil, other than crude*.

HEARING: Remains as assigned June 5, 1959, at the Baker Hotel, Dallas, Tex., before Examiner James I. Carr.

No. MC 113779 (Sub No. 86), filed January 26, 1959. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 La Porte Expressway, P.O. Box 12385, Houston 17, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric (muriatic) acid*, in bulk, in tank vehicles, from Kermit, Tex., to points in New Mexico, Colorado, and Utah; and from Oklahoma City, Okla., to points in Oklahoma, Wyoming, Nebraska, Kansas, Missouri, Colorado, and Texas. Applicant is authorized to transport acids, and chemicals in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

HEARING: June 9, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 113855 (Sub No. 31), filed December 8, 1958. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, including all component parts, materials, supplies, and fixtures, and when shipped with such buildings, accessories used in the erection, construction, and completion thereof, from Tacoma, Wash., and points within 10 miles thereof, to points in Montana, Wyoming, Utah, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Wisconsin, Iowa, Illinois, Michigan, Indiana, and Missouri.

HEARING: June 26, 1959, at the Davenport Hotel, Spokane, Wash., before Examiner Michael B. Driscoll.

No. MC 113855 (Sub No. 38), filed April 7, 1959. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (not including tractors with vehicle beds, bed frames for fifth wheels), *utility trailers* designed for the transportation of tractors other than truck-tractors, *road construction machinery and equipment*, *earth moving, excavating and loading machinery*, (except that which because of size or weight require the use of special equipment) and *parts and attachments* therefor when transported in the same vehicle,

from Racine, Wis., Burlington, Iowa, and Rock Island, Ill., to points in New Mexico, Wyoming, Colorado, Montana, Oregon, Idaho, Utah, Washington, Arizona, Nevada, California, and Alaska, and ports of entry on the international boundary line between the United States and Canada in North Dakota and Minnesota. Applicant is authorized to conduct operations throughout the United States.

NOTE: Applicant states that it is now authorized to transport agricultural machinery and implements, other than hand, and farm tractors, from Racine, Wis., Burlington, Iowa and Rock Island, Ill., to points in the above named states, except Alaska and the ports of entry in North Dakota and Minnesota, and except from Rock Island and Burlington to Colorado. Applicant is also authorized to transport heavy machinery, machine parts, farm implements and road construction equipment to Minnesota, and farm tractors and farm equipment to a portion of North Dakota. Under these authorities applicant claims the right to transport all types of tractors manufactured at, or distributed from Racine, Rock Island and Burlington. The purposes of this application are (1) to clarify applicant's authority to perform the transportation, (2) present proof of public convenience and necessity for the proposed service and to receive as a result of this proceeding, such additional authority as may be required, and (3) to remove the necessity of operating through the East Grand Forks, Minn., gateway on movements to said ports of entry in North Dakota.

HEARING: June 10, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 114290 (Sub No. 3), filed January 2, 1959. Applicant: EXLEY EXPRESS, INC., 2204 Southeast Eighth Avenue, Portland 14, Ore. Applicant's attorney: James T. Johnson, 1111 Northern Life Tower, Seattle 1, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (including but not limited to frozen fruits, vegetables, berries, pies, packaged dinners, fish and fish products), and *juices, purees and concentrates* requiring refrigeration in transit, between points in Oregon and Washington on the one hand, and, on the other, points in Nevada and Arizona. Applicant is authorized to conduct operations in California, Oregon, and Washington.

HEARING: June 8, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Ore., before Examiner Michael B. Driscoll.

No. MC 114364 (Sub No. 40), filed January 29, 1959. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm, Rocky-Ford, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foods and juices*, frozen or unfrozen, from Kennewick, Wash., to points in Arizona, Colorado, Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming. Applicant is authorized to conduct operations in Arkansas, Colorado, Idaho, Kansas, Missouri, Nebraska,

Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

HEARING: June 11, 1959, at the Federal Building, Oklahoma City, Okla., before Examiner Frank R. Saltzman.

No. MC 114553 (Sub No. 6), filed March 30, 1959. Applicant: DUDLEY TRUCKING COMPANY, INC., 717 Memorial Drive SE., Atlanta 16, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern Bank Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from the plant sites of Aunt Fanny's Pie Company and Southern Bakeries Company at Atlanta, Ga., to points in Mississippi, Louisiana, and the District of Columbia, and *state bakery products and empty containers* used in transporting bakery products, from points in Mississippi, Louisiana, and the District of Columbia, to the plant sites of Aunt Fanny's Pie Company and Southern Bakeries Company at Atlanta, Ga. *Bakery products*, from points in Florida to the plant site of Southern Bakeries Company at Atlanta, Ga. Applicant is authorized to conduct regular route operations in Georgia and Tennessee, and irregular route operations in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: A proceeding has been instituted under section 212(c) of the Act to determine whether applicant's status is that of a contract or common carrier, assigned Docket No. MC 114553 (Sub No. 3).

HEARING: June 11, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 115078 (Sub No. 1), filed March 10, 1959. Applicant: DONALD M. SINDALL AND GLENN J. YANTZI, doing business as DON M. SINDALL TRANSPORT, New Hamburg, Ontario, Canada. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and/or parts and accessories, agricultural implements, agricultural implement or machinery parts and attachments*, moving in connection with shipments of agricultural implements and agricultural machinery, from New Holland, Mountville, Belleville, Intercourse, and Lancaster, Pa., to ports of entry in New York, New Hampshire, and Vermont on the International Boundary line between the United States and Canada, restricted to traffic having final destination in Canada. Applicant is authorized to conduct operations in New York and Pennsylvania.

HEARING: June 10, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 115162 (Sub No. 47), filed March 23, 1959. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, P.O. Box 869, Montgomery, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: (1) *Internal Combustion engines, and parts and attachments therefor; also loose automobile wheels, with or without tires, iron or steel*, from Detroit, Mich., Evergreen, Ala.; (2) *Steering gear assemblies, iron or steel*, from La Fayette, Ind., to Evergreen, Ala.; (3) *Aluminum sheets*, from New York, N.Y., and the Commercial Zone thereof, to Evergreen, Ala.; (4) *Automobile axles (front) with external and internal parts, and parts and attachments therefor*, from New Castle, Pa., to Evergreen, Ala.; (5) *Loose axles for bus, auto or trailers, with internal or external parts and parts and attachments therefor*, from Newark, Ohio, to Evergreen, Ala.; (6) *Automobile heaters, including windshield heaters, air, and parts and attachments therefor; also shutter controls and parts and attachments therefor*, from Cadillac, Mich., to Evergreen, Ala.; (7) *Automobile driving gear, iron or steel, and assemblies thereof and parts and attachments therefor*, from Toledo, Ohio, to Evergreen, Ala.; (8) *Rubber matting in bales, with or without jute or felt backing continuous lengths; rubber step pads; rubber cement; and pipe and pipe fittings*, from Mantua, Ohio, to Evergreen, Ala. Applicant is authorized to conduct operations throughout the United States.

HEARING: May 28, 1959, at Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Mack Myers.

No. MC 115242 (Sub No. 1), filed January 12, 1959. Applicant: DONALD MOORE, 127 Mordell Court, Prairie du Chien, Wis. Applicant's attorney: John T. Porter, 708 First National Bank Building, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, (1) from Muscoda and Prairie du Chien, Wis., to points in Illinois on and north of U.S. Highway 50 (except those in the Chicago, Ill., Commercial Zone), those in Anoka, Carver, Dakota, Goodhue, Hennepin, Isant, McLeod, Ramsey, Scott, Sherburne, and Wright Counties, Minn. (including points in the Minneapolis-St. Paul, Minn., Commercial Zone), and Jasper and Goshen, Ind.; (2) from Guttenberg, New Albin, and Waukon, Iowa, to Muscoda and Prairie du Chien, Wis. Applicant is authorized to conduct operations in Iowa, Illinois, and Wisconsin.

HEARING: June 2, 1959, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Thomas F. Kilroy.

No. MC 115311 (Sub No. 18), filed March 10, 1959. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 894, Americus, Ga. Applicant's attorney: Paul M. Daniell, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from Avery Island, Jefferson Island, and Weeks, La., and points within 10 miles thereof, to points in Georgia, Florida, North Carolina, South Carolina, Alabama, and Tennessee. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: June 9, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 115458 (Sub No. 5), filed August 21, 1958. Applicant: ROBERT G. VESPER AND OTIS A. VESPER, doing business as VESPER COMPANY, 6133 Cherry Avenue, Long Beach 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers* (sometimes called mobile homes or portable houses), designed to be drawn by passenger automobiles, in initial or secondary movements, in truckaway service, from points in California to points in Alaska; and (2) *Trailers* (sometimes called mobile homes or portable houses), designed to be drawn by passenger automobiles, in secondary movements, in truckaway service, from points in Alaska to points in California. Applicant is authorized to transport similar commodities in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE: Applicant states that the proposed operation is proposed from California through the States of Oregon and Washington enroute to Alaska.

HEARING: June 4, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 115458 (Sub No. 8), filed December 6, 1958. Applicant: ROBERT G. VESPER AND OTIS A. VESPER, doing business as VESPER COMPANY, 6133 Cherry Avenue, Long Beach 5, Calif. Applicant's attorney: J. Gerald Wetzel, Guardian Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, *mobile homes*, and *portable houses*, having removable undercarriages, in initial movements, in truckaway service, from points in Orange County, Calif., to points in Alaska, Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. (a) *Damaged or rejected shipments* of the above-described commodities, in secondary movements, in truckaway service, and (b) *undercarriages or component parts thereof*, from the above-described destination points to points in Orange County, Calif. Applicant is authorized to conduct operations in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

HEARING: June 5, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 115504 (Sub No. 9) (SECOND REPUBLICATION), filed September 2, 1958. Applicant: KENISON TRUCKING, INC., 413 South Second West (P.O. Box 324), Salt Lake City, Utah. Applicant's attorney: Bartly G. McDonough, 10 Executive Building, 455 East Fourth South, Salt Lake City 11, Utah. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: (A) *Dry fertilizer*, from Garfield, Utah, and the site of the United States Steel Corporation plant at Geneva, Utah, to points in Arizona; (B) *Returned empty containers* used in the transportation of dry fertilizer, from the above-specified destination points to Garfield, Utah, and the site of the United States Steel Corporation plant at Geneva, Utah; and (C) *Aluminum sulphate*, in bulk, in conveyor-belt type equipment, from Richmond, Calif., to water purification plants located in Castlegate, Deer Creek (Wasatch County), Ogden, and Salt Lake City, Utah, and points within 25 miles of each, and Idaho Falls, Blackfoot, Pocatello, and Twin Falls, Idaho, and points within 25 miles of each. Applicant is authorized to conduct operations in California, Idaho, Nevada, and Utah.

NOTE: Applicant states that the operations under (A) and (B) above are to be performed for the account of the Western Phosphates, Inc., and the United States Steel Corporation, Columbia-Geneva Steel Division; and under (C) above for the account of the L. H. Butcher Company, and Stauffer Chemical Company.

NOTE: The purpose of this republication is to reflect the addition of Stauffer Chemical Company as a shipper for whom the proposed operations will be performed.

HEARING: Remains as assigned May 25, 1959, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Alton R. Smith.

No. MC 115757 (Sub 14), filed March 27, 1959. Applicant: BULK MOTOR TRANSPORT, INC., 1400 Kansas Avenue, Kansas City 5, Kans. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, between points in Iowa, Minnesota, and Missouri. Applicant is authorized to conduct operations in Missouri, Illinois, Michigan, Ohio, and Indiana.

NOTE: Applicant states that common control by management exists with Southwest Freight Lines, Inc.

HEARING: June 15, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 201.

No. MC 115757 (Sub No. 15), filed March 27, 1959. Applicant: BULK MOTOR TRANSPORT, INC., 1400 Kansas Avenue, Kansas City 5, Kans. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, between points in Arkansas, Kansas, and Missouri. Applicant is authorized to conduct operations in Missouri, Illinois, Michigan, Ohio, and Indiana.

NOTE: Applicant states that common control by management exists with Southwest Freight Lines, Inc.

HEARING: June 16, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 154.

No. MC 115757 (Sub No. 16), filed March 27, 1959. Applicant: BULK MOTOR TRANSPORT, INC., 1400 Kan-

sas Avenue, Kansas City 5, Kans. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, between points in Illinois, Missouri, and Wisconsin. Applicant is authorized to conduct operations in Missouri, Illinois, Michigan, Ohio, and Indiana.

NOTE: Applicant states that common control by management exists with Southwest Freight Lines, Inc.

HEARING: June 17, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 194.

No. MC 115835 (Sub No. 1), filed March 2, 1959. Applicant: EXPRESS VAN LINES, INC., 9219 Harford Road, Baltimore, Md. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in California, Oregon, and Washington, and that part of Idaho on and west of U.S. Highway 93, and on and south of U.S. Highway 30, on the one hand, and, on the other, points in Alaska. Applicant is authorized to transport similar commodities in California, Idaho, Oregon, and Washington.

HEARING: June 16, 1959, at the Ground Floor, Pittcock Block, 410 Southwest 10th Street, Portland, Ore., before Examiner Michael B. Driscoll.

No. MC 115841 (Sub No. 55), filed March 9, 1959. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meats*, loose, or in packages, hanging and other than hanging, from Houston, Tex., to points in Mississippi, Bessemer, Montgomery, and Tuscaloosa, Ala., and Bristol and Salem, Va. Restricted: No final delivery of any shipment may be made at any Mississippi point, and no complete shipment may be fully delivered within the State of Alabama. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: June 24, 1959, at the Federal Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 115841 (Sub No. 56), filed March 9, 1959. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meats*, loose, or in packages, hanging and other than hanging, from Houston, Tex., to points

in Delaware, District of Columbia, Connecticut, Maryland (except Baltimore), Massachusetts (except Boston), New York (except New York City and Three Rivers), New Jersey, Pennsylvania (except Philadelphia and Pittsburgh), and Rhode Island. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: June 24, 1959, at the Federal Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 115946 (Sub No. 6), filed March 16, 1959. Applicant: CHARLES C. GAY, doing business as GAY TRUCKING COMPANY, P.O. Box 4111, Port Wentworth, Ga. Applicant's attorney: T. Baldwin Martin, 503 First National Bank Building, Macon, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plaster*, such as calcined, Keenes cement, Plaster of Paris, stucco, wall, and patching, and *plaster articles*, *Gypsum blocks*, *planks*, *slabs* or *tile*, reinforced or not reinforced with metal, with or without metal ends and/or sides, *Gypsum filler*, *Gypsum calcined*, *Gypsum ground*, *Gypsum crude*, crushed, ground or pulverized, *land plaster*, *sizing*, *Gypsum lath*, *Gypsum backing board*, laminated or not laminated, *limestone*, *lime*, common, hydrated, quick or slaked, *plaster retarder*, *plaster or stucco accelerator*, *plaster aggregate*, *Gypsum wallboard and articles*, such as Gypsum wallboard, laminated or not laminated, Gypsum sheathing, laminated or not laminated, plasterboard joint system, consisting of plastering compound with or without paper, metal, or fabric tape, in bags, barrels, boxes or pails, tape, wallboard joining or reinforcing, and tape, paper, and *accessories*, including *nails*, iron or steel, *packages for reconditioning purposes*, *rods*, steel, *lathing or ribbing steel*, *bead*, steel, including *corner bead*, *wire*, metal and *arches*, steel, from Brunswick, Ga., to points in Alabama, Florida, North Carolina, South Carolina, and Tennessee, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, and Tennessee.

NOTE: Applicant states that the purpose of the instant application is to amend the certificate in MC 115946 (Sub No. 1). Duplication with present authority to be eliminated.

HEARING: June 12, 1959, at 680 West Peachtree Street, N.W., Atlanta, Ga., before Examiner Mack Myers.

No. MC 116101 (Sub No. 1), filed April 8, 1959. Applicant: EDWARD L. GRO-

MAND, doing business as QUICK AIR FREIGHT, Air Cargo Building, Port Columbus Airport, Columbus 19, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except Class A and B explosives, restricted to shipments having a prior or subsequent movement by aircraft, (1) between Port Columbus Airport, in Ohio, on the one hand, and, on the other, Cleveland Hopkins Airport, J. M. Cox Municipal Airport of Dayton, in Ohio, and Greater Cincinnati Airport, in Kentucky, (2) Between Greater Cincinnati Airport, in Kentucky, on the one hand, and, on the other, Cleveland Hopkins Airport and J. M. Cox Municipal Airport of Dayton, on the one hand, and, on the other, Cleveland Hopkins Airport, in Ohio. Applicant is authorized to conduct operations in Kentucky and Ohio.

HEARING: June 11, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 37.

No. MC 116144 (Sub No. 6), filed March 10, 1959. Applicant: ARTHUR W. SORESENSEN, doing business as SORESENSEN TRANSPORTATION CO., Johnson Road, Woodbridge, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from Lebanon, Pa., to Wethersfield, and Woodbridge, Conn., and *empty containers or other such incidental facilities* (not specified) used in transporting fertilizer on return. Applicant is authorized to conduct similar operations in Connecticut, Massachusetts, and New Jersey.

HEARING: June 16, 1959, at the U.S. Court Rooms, Hartford, Conn., before Examiner Lucian A. Jackson.

No. MC 116817 (Sub No. 1), filed April 16, 1959. Applicant: MERRIL D. ROBERTS, BEACH W. ROBERTS AND ROBERT A. ROBERTS, doing business as ROBERTS TRUCK LINES, Sleepy Eye, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Manufactured feed ingredients*, in bags, from points in Carver, Dakota, Hennepin, Ramsey, and Scott Counties, Minn., to New Richmond, Wis.; (2) *alfalfa meal or pellets*, from points in Renville County, Minn., to New Richmond, Wis.; (3) *animal and poultry feeds*, from New Richmond, Wis., to points in Dickinson and Emmett Counties, Iowa. Applicant is authorized to conduct operations in Minnesota and Wisconsin.

HEARING: June 2, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Joint Board No. 181.

No. MC 117136 (Sub No. 9), filed November 6, 1958. Applicant: CAVEMAN TRANSPORT, INC., 2000 Southwest G Street, P.O. Box 247, Grants Pass, Ore.

Applicant's representative: I. R. Perry, P.O. Box 594, Grants Pass, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points in Douglas County, Ore., to points in California, Nevada, and Arizona; and *refused or unclaimed shipments* of lumber and lumber products and *pallets* used in moving said commodities, on return. Applicant is authorized to conduct operations in Oregon, California, Nevada, and Arizona.

HEARING: June 19, 1959, in Room 216, Douglas County Courthouse, Roseburg, Ore., before Examiner Michael B. Driscoll.

No. MC 117344 (Sub No. 17), filed March 9, 1959. Applicant: THE MAXWELL CO., a corporation, 2200 Glendale-Milford Road, Cincinnati 15, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, from points in Butler County, Ohio, to points in Kentucky, and *empty containers or other such incidental facilities* (not specified) used in transporting the above commodities on return. Applicant is authorized to conduct operations in Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Michigan, Massachusetts, Missouri, New York, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

NOTE: Dual operations may be involved.

HEARING: June 11, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 37.

No. MC 117363, filed April 25, 1958. Applicant: DAN E. HAY, Tekoa, Wash. Applicant's attorney: George W. Shoemaker, 1327 ONB Building, Spokane, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Poles and piling*, from points in Spokane County, Wash., and points in Kootenai, Bonner, Boundary, Shoshone, Latah, Nez Perce, Lewis, and Clearwater Counties, Idaho, to points in San Juan County, N. Mex., and points in Montezuma and La Plata Counties, Colo., and *exempt commodities* on return.

HEARING: June 25, 1959, at the Davanport Hotel, Spokane, Wash., before Examiner Michael B. Driscoll.

No. MC 117465 (Sub No. 4), filed April 6, 1959. Applicant: CLYDE REEVES, doing business as BEAVER EXPRESS, 1618 Texas Street, Woodward, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle over regular routes, transporting: *General commodities*, except Class A and B explosives, moving in express service, between Canadian, Tex., and Amarillo, Tex., over U.S. Highway 60, serving all intermediate points, with the right to tack at Canadian. Applicant is authorized to conduct operations in Oklahoma, Kansas, and Texas.

HEARING: June 4, 1959, at the Her-ring Hotel, Amarillo, Tex., before Joint

Board No. 77, or, if the Joint Board waives its right to participate, before Examiner William P. Sullivan.

No. MC 117473 (Sub No. 3), filed March 2, 1959. Applicant: C. E. ARNDT, 1905 Shelby, Higginsville, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer and fertilizer compounds*, dry, in bulk and in bags, from Olathe, Kans., and points within 5 miles thereof to points in Missouri and *damaged and rejected shipments* of the above specified commodities on return; (2) *Fertilizer and fertilizer compounds*, dry, in bulk and in bags, and *materials and supplies* used in the manufacture of commercial fertilizers, between the plant sites of the American Agricultural Chemical Company located at East St. Louis, Ill., and Olathe, Kansas.

HEARING: June 18, 1959, at the New Hotel Pickwick, Kansas City, Mo., before Joint Board No. 195.

No. MC 117475 (Sub No. 3), filed March 23, 1959. Applicant: INTERSTATE TRANSPORT, INC., P.O. Box 502, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Norfolk, Nebr., and points within 10 miles thereof, to points in South Dakota. Applicant is authorized to conduct operations in Iowa, Minnesota, Nebraska, and South Dakota.

HEARING: June 18, 1959, at the South Dakota Public Utilities Comm., Pierre, S. Dak., before Joint Board No. 184, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 117644 (Sub No. 2), filed March 23, 1959. Applicant: ROBERT DOLLE AND DAVID TIBBETTS, doing business as D & T TRUCKING, 2967 Hudson Road, St. Paul, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, feed grade, from Belle, W. Va., to points in Iowa, Minnesota, North Dakota, and Wisconsin.

HEARING: June 12, 1959, in Room 926, Metropolitan Building, Second Avenue, South and Third Street, Minneapolis, Minn., before Examiner Herbert L. Hanback.

No. MC 117748 (Sub No. 1), filed April 13, 1959. Applicant: W. H. DUDGEON, doing business as ALL STATES DRIVE-AWAYS AGENCY, 4166 Tweedy Boulevard, South Gate, Calif. Applicant's attorney: Warren N. Grossman, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used passenger automobiles*, in secondary drive-away service, between points in California south of the northern boundaries of Santa Barbara, Kern,

and San Bernardino Counties, Calif., on the one hand, and, on the other, points in the United States.

HEARING: June 9, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 117767 (Sub No. 2), filed March 9, 1959. Applicant: ARNOLD SERVICES, INC., P.O. Box 38, Whitesburg, Ga. Applicant's attorneys: Wilson, Branch and Barwick, 615 Rhodes-Haverty Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drapery hardware*, steel or iron, between Middleton, Wis., and Winter Haven, Tampa, and St. Petersburg, Fla.

HEARING: June 4, 1959, at 680 West Peachtree Street, NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 117767 (Sub No. 3), filed March 9, 1959. Applicant: ARNOLD SERVICES, INC., P.O. Box 38, Whitesburg, Ga. Applicant's attorney: Wilson, Branch and Barwick, 615 Rhodes-Haverty Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drapery hardware*, iron or steel, between Freeport, Ill., and Detroit, Mich., Cleveland, Ohio, Atlanta, Ga., Dallas, Tex., North Bergen, N.J., and Ogdensburg, N.Y.

HEARING: June 4, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 117840, filed November 14, 1958. Applicant: CORONET ENTERPRISES, INC., West 1103 Sprague Avenue, Spokane, Wash. Applicant's attorney: Elmer E. Johnston, West 909 Sprague Avenue, P.O. Box 122, Spokane 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled trucks, trailers, and automobiles*, in a service restricted to the use of towing and wrecking equipment and for recovering stolen and/or repossessed automobiles, (1) from points in Wallawa, Umatilla, Union, and Morrow Counties, Ore., to Spokane, Wash.; (2) from Okanogan, Chelan, Ferry, Stevens, Pend Oreille, Douglas, Walla Walla, Yakima, Lincoln, Adams, Asotin, Columbia, Garfield, Whitman, Grant, Kittitas, and Spokane Counties, Wash., and the City of Spokane, Wash., and points in Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Idaho, and Lewis Counties, Idaho, to Spokane, Wash.; and (3) from points in Lincoln, Flathead, Glacier, Toole, Liberty, Hill, Pondera, Choteau, Teton, Cascade, Sanders, Lake, Mineral, Missoula, Powell, Lewis and Clark, Ravalli, Granite, Jefferson, Broadwater, Silver Bow, and Deer Lodge Counties, Mont., to Spokane, Wash.

HEARING: June 25, 1959, at the Davenport Hotel, Spokane, Wash., before Examiner Michael B. Driscoll.

No. MC 118443 (Sub No. 2), filed March 20, 1959. Applicant: AGGREGATES TRANSPORT CORP., RR No. 2 Box 408-C, Waukesha, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, between Mil-

waukee, Wis., and points in Illinois on and south of U.S. Highway 6, and delivery point on Calumet Expressway two miles south of U.S. Highway 6, at junction 167th Street and Van Dam Road.

HEARING: June 4, 1959, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13, or, if the Joint Board waives its right to participate, before Examiner Thomas F. Kilroy.

No. MC 118500 (Sub No. 2), filed February 18, 1959. Applicant: LOUIS LANGEVIN AND ADRIAN KNOWLES (partnership), doing business as LANG-EVIN AND KNOWLES, Postage Road, Ashland, Maine. Applicant's attorney: Francis E. Barrett, 7 Water Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Winn, and Ashland, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania.

HEARING: June 1, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 118540, filed January 8, 1959. Applicant: JACOBSEN BROS. INC., 833 McClaine Street, Silverton, Ore. Applicant's attorney: John M. Hickson, Failing Building, Portland 4, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) from points in Oregon and Washington to points in California; (2) from points in California to points in Utah.

HEARING: June 10, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Ore., before Examiner Michael B. Driscoll.

No. MC 118548, filed January 12, 1959. Applicant: LYMAN R. GRIFFITH, 101 Third Avenue East, Moberg, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock, poultry feeds, farm machinery and implements* (set-up) and *buildings materials*, from Sioux City, Iowa, and points in the Minneapolis-St. Paul, Minn., Commercial Zone as defined by the Commission, to points in Walworth, Campbell, Dewey, and Corson Counties, S. Dak.

HEARING: June 18, 1959, at the South Dakota Public Utilities Comm., Pierre, S. Dak., before Examiner Herbert L. Hanback.

No. MC 118558, filed January 16, 1959. Applicant: L. W. TEEL, doing business as TEEL TRUCKING, 1115 Johnson Street, Idaho Falls, Idaho. Applicant's attorney: Reginald R. Reeves, Smith-Hart Building, 357 C Street, Idaho Falls, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, between points in Washington, Oregon, Montana, Wyoming, Colorado, Utah, and Idaho.

HEARING: June 1, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Examiner Michael B. Driscoll.

No. MC 118629, filed February 12, 1959. Applicant: G. L. CREECH, doing busi-

ness as CREECH TRUCK LINE, 4506 38th Street, Zachary, La. Applicant's attorney: John F. Ward, Jr., 206 Louisiana Avenue, Baton Rouge, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and building materials and supplies*, between points in Louisiana, and points in Arkansas, Mississippi, Texas, and Alabama.

NOTE: Applicant states the proposed transportation is for two shippers, Cocreham Materials, Inc., and Louisiana Concrete Products, Inc.

HEARING: July 2, 1959, at the Louisiana Public Service Commission, Baton Rouge, La., before Examiner Frank R. Saltzman.

No. MC 118638, filed February 12, 1959. Applicant: WILLIAM R. FISCHER AND MONTFORD R. FISCHER (partners in Fischer Brothers Aviation), doing business as GCS AIR SERVICE, Gallion-Crestline Airport, Gallion, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (a) between points in Crawford, Marion, Richland, Morrow, Huron, and Ashland Counties, Ohio, on the one hand, and, on the other, the Gallion-Crestline Airport, located approximately 3½ miles east of Gallion, Ohio; and (b) between points in Crawford, Marion, Richland, Morrow, Huron, and Ashland Counties, Ohio, on the one hand, and, on the other, the Cleveland-Hopkins Airport, located in Cuyahoga County, Ohio.

NOTE: Applicant states the proposed operations are to be restricted to shipments having a prior or subsequent movement by aircraft. Applicant further states that the proposed service is a pick-up and delivery service for authorized air-freight carriers and is supplementary to such transportation by aircraft; that applicant will be paid out of revenues payable for transportation by aircraft; that all freight moves on airline bills of lading from Gallion to destination or from origin to Gallion; that freight moves between points in the Ohio counties and the Gallion-Crestline or Cleveland, Ohio, airports; and that movements between the two airports will be either by air or motor vehicle, whichever is more practical to accomplish the particular movement. Applicant simultaneously filed a MOTION TO DISMISS this application on the grounds that the requested authority is within the exemption provided in 49 U.S.C., section 303(b)(7a) respecting transportation of property by motor vehicle when incidental to transportation by aircraft.

HEARING: June 9, 1959, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 118640, filed December 15, 1958. Applicant: J. M. JACKSON, doing business as JACKSON TRANSPORTATION COMPANY, P.O. Box 1425, Macon, Ga. Applicant's attorney: Paul M. Daniell, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, (1) from Seabrook, N.J., and Baltimore, Md., to points in North Carolina, South Carolina, Tennessee, Georgia, and Alabama; and (2) from Macon, Ga., to points in Alabama, Tennessee, North Carolina,

South Carolina, Virginia, Maryland, New Jersey, New York, and Delaware.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 8, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 118654, filed February 9, 1959. Applicant: JOSEPH A. FARACE, P.O. Box 73, Independence, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, and bananas*, from New Orleans, Independence, Hammond and Ponchatoula, La., to points in Illinois, Iowa, Wisconsin, Alabama, Arizona, Arkansas, California, Colorado, Georgia, Indiana, Idaho, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Dakota, New Mexico, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wyoming.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 29, 1959, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Frank R. Saltzman.

No. MC 118658, filed December 16, 1958. Applicant: ALMA FRYE, 508 Elberon Avenue, Cincinnati 5, Ohio. Applicant's representative: Viston Taylor Powers, Jr., 1055 Lialaw Avenue, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wool imported from any foreign country, wool tops and noils, and wool waste, carded, spun, woven, or knitted*, from Boston, Mass., and points in Massachusetts within a 35 mile radius thereof, New York, N.Y., and points in New Jersey within a 20 mile radius thereof, Philadelphia, Pa., Camden and Hightstown, N.J., Albany, Cohoes, and Amsterdam, N.Y., to Cincinnati, Celina, Dresden, New Bremen, New Richmond, Piqua, and St. Marys, Ohio.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 1, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 118662, filed December 24, 1958. Applicant: JOSEPH PAUL MONTEIRO, doing business as J. M. TRANSPORTATION, 187 Chavenson Street, Fall River, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables,*

cocoa beans, coffee beans, tea, bananas, hemp, wool imported from any foreign country, *wool tops and noils, and wool waste* (carded, spun, woven or knitted), between points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Florida, Virginia, Illinois, and Washington.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act, it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act. Applicant states that he has worked for various trucking companies for ten years, and that he now proposes to operate his own truck in hauling for himself.

HEARING: June 4, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 118664, filed December 15, 1958. Applicant: DON KIRKMAN, doing business as KIRKMAN REFRIGERATED TRANSPORTATION, 122 Hudson, Nampa, Idaho. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, and frozen fish*, from Bay area, Seattle, Grandview, and Auburn, Wash., Portland and Salem, Oreg., Buley and Nampa, Idaho, and San Martin, San Francisco, Watsonville, Fresno, and Newman, Calif., to Boise and Burley, Idaho, Bay area, Yakima, and Grandview, Wash., and San Francisco and Sunnyside, Calif.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 3, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Examiner Michael B. Driscoll.

No. MC 118665, filed December 12, 1958. Applicant: JOHNSTON TRANSPORTATION, INC., 60 Armanto Street, Johnston, R.I. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, and bananas*, from Bridgeton, N.J., to points in New Jersey, New York, Connecticut, Rhode Island, and Massachusetts, and from Ontario, N.Y., to East Hartford, Conn.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 17, 1959, at 346 Broadway, New York, N.Y., before Examiner Lucian A. Jackson.

No. MC 118666, filed December 15, 1958. Applicant: RICHARD D. COBB, 17 North Judson Street, Gloversville, N.Y. Applicant's attorney: Donald A. Camp-

bell, 5 Market Street, Amsterdam, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, coffee beans, tea, bananas, wool imported from any foreign country, and wool waste* (carded, spun, woven, or knitted), from New York, Amsterdam, Buffalo, Johnstown, Rochester, Syracuse, and White Plains, N.Y.; Baltimore, Md.; Bennington, Vt.; Boston, Lowell, and Watertown, Mass.; Camden and East Orange, N.J.; Chicago, Ill.; Cleveland, Ohio; Manchester, N.H.; Orlando, St. Petersburg, and Miami, Fla.; Old Orchard and Franklin, Maine; Glenbrook, Conn.; Wilmington, Del.; Providence, R.I.; and Philadelphia, Pa., to Albany, Buffalo, New York, Plattsburgh, and Schenectady, N.Y.; Glenbrook and Waterbury, Conn.; Indianapolis, Ind.; Hershey, Philadelphia, Pittsburgh, and Scranton, Pa.; Bennington, Vt.; Miami and St. Petersburg, Fla.; Detroit and Grand Rapids, Mich.; Chicago, Ill.; Manchester, N.H.; Baltimore, Md.; Cincinnati and Cleveland, Ohio; and Old Orchard, Maine.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 18, 1959, at 346 Broadway, New York, N.Y., before Examiner Lucian A. Jackson.

No. MC 118687, filed February 16, 1959. Applicant: ROBERT KOPPERUD, doing business as DAKOTA SUPPLY COMPANY, Lake Preston, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes* (trailers) in tow-away service, and *empty containers or other such incidental facilities* (not specified) used in transporting mobile homes, between points in South Dakota on the one hand, and, on the other, points in Wyoming, Minnesota, Nebraska, Iowa, and North Dakota.

HEARING: June 23, 1959, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner Herbert L. Hanback.

No. MC 118694, filed February 19, 1959. Applicant: DON LEVEY, doing business as LEVEY LUMBER SALES, 2304 South Western Avenue, Sioux Falls, S. Dak. Applicant's attorney: T. M. Bailey, Jr., 613 Security Bank Building, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, rough, sawed or planed; *posts, poles and timbers*; *wood, wood products and millwork*; *prefabricated buildings*, assembled, knocked down or in sections, and *materials and supplies incidental thereto*; *precut lumber*; *building materials* as described in Appendix VI to *Descriptions in Motor Carrier Certificates*, 61 MCC 209, and *such other merchandise* as it dealt in by retail lumber yards, from points in Idaho, Montana, Oregon, South Dakota, and Washington, to points in Iowa, Minnesota, North Dakota, and South Dakota; and *empty containers or*

other such incidental facilities used in transporting the above-described commodities, and *rejected, refused or damaged shipments* of the said commodities, on return.

NOTE: Applicant states that "exempt commodities according to law" will also be transported on return trips.

HEARING: June 24, 1959, at the U.S. Court Rooms, Sioux Falls, S. Dak., before Examiner Herbert L. Hanback.

No. MC 118720, filed February 24, 1959. Applicant: CRYSTAL ROBERTS, doing business as THE BONNIE MILLNER CO., 1315 East Seventh Street, Los Angeles 21, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Phonograph records* (new, used, broken, and pulverized) and *tape recordings*, including *materials* used in packaging, advertising, and displaying said commodities, between New York, N.Y., and points in the Commercial Zone thereof, as defined by the Commission, on the one hand, and, on the other, Los Angeles, Calif., and points in the Commercial Zone thereof, and points in the Los Angeles, Calif., Harbor Commercial Zone, as defined by the Commission, as follows: (1) From New York over city streets and unnumbered highways to the New Jersey Turnpike, thence over the New Jersey Turnpike to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction Ohio Turnpike, thence over the Ohio Turnpike to junction Indiana Turnpike, thence over the Indiana Turnpike to Chicago, Ill., thence over U.S. Highway 66 to junction U.S. Highway 24 near Chenoa, Ill., thence over U.S. Highway 24 to junction U.S. Highway 75 near Topeka, Kans., thence over U.S. Highway 75 to junction Kansas Turnpike near Topeka, Kans., thence over Kansas Turnpike to junction U.S. Highway 54 near Wichita, Kans., thence over U.S. Highway 54 to junction U.S. Highway 66 at Tucumcari, N. Mex., thence over U.S. Highway 66 to Barstow, Calif.; and (2) (a) from Barstow, Calif., over U.S. Highway 466 to junction U.S. Highway 99 at Bakersfield, Calif., thence over U.S. Highway 99 to junction California Highway 120 near Manteca, Calif., thence over California Highway 120 to junction U.S. Highway 50 near Tracy, Calif., thence over U.S. Highway 50 to San Francisco, Calif., then return over U.S. Highway 50 to junction California Highway 120 near Tracy, Calif., thence over California Highway 120 to junction U.S. Highway 99 near Manteca, Calif., thence over U.S. Highway 99 to Los Angeles, Calif.; and (b) from Barstow over U.S. Highway 91 to junction U.S. Highway 70 at Colton, Calif., thence over U.S. Highway 70 to Los Angeles, and return over the above routes, serving the intermediate points of San Francisco, Berkeley, and Oakland, Calif., restricted to shipments originating at New York, N.Y., and points in the New York, N.Y., Commercial Zone, as defined by the Commission, and Chicago, Ill., restricted to shipments originating at Los Angeles,

Calif., and points in the Commercial Zone thereof, and the Los Angeles, Calif., Harbor Commercial Zone thereof, as defined by the Commission; and over the following *ALTERNATE ROUTES*: (A) Between junction U.S. Highway 66 and U.S. Highway 136 near McLean, Ill., and the Kansas Turnpike near Topeka, Kans., from junction U.S. Highway 66 and U.S. Highway 136 near McLean, Ill., over U.S. Highway 136 to junction U.S. Highway 61 at Keokuk, Iowa, thence over U.S. Highway 61 to junction U.S. Highway 218 near Montrose, Iowa, thence over U.S. Highway 218 to junction Iowa Highway 2 at Donnellson, Iowa, thence over Iowa Highway 2 to junction U.S. Highway 75 at Nebraska City, Nebr., thence over U.S. Highway 75 to junction Kansas Turnpike near Topeka, Kans., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's pending regular route operations described above; and (B) between junction unnumbered connection freeway and U.S. Highway 50 near San Leandro, Calif., and junction U.S. Highway 50 and California Highway 17 at Oakland, Calif., from junction unnumbered connection freeway and U.S. Highway 50 near San Leandro over unnumbered connection freeway to junction California Highway 17, thence over California Highway 17 to junction U.S. Highway 50 at Oakland, and return over the same route, serving no intermediate points, as in alternate route for operating convenience only in connection with applicant's pending regular route operations described above.

HEARING: June 1, 1959, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 118749, filed March 2, 1959. Applicant: DELCO TRUCKING COMPANY, a corporation, 511 Southeast Belmont, Portland 14, Ore. Applicant's attorney: Earle V. White, 2130 Southwest Fifth Avenue, Portland 1, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: (a) *Lumber*, between points in Washington, Oregon, California, Nevada, Arizona, New Mexico, Utah, Idaho, Montana, Wyoming, and Colorado. (b) *Brick and tile*, from points in Colorado and California to points in Oregon and Washington. (c) *Stone*, from points in Arizona, Nevada, New Mexico, Colorado, and Utah, to points in Oregon, Washington, and California. (d) *Electrical appliances, equipment and parts*; *engines and parts*; *generators and parts*; *waste and scrap materials, metal*; *contractor's, construction, and road-building machinery and equipment*; and *commodities* which because of size or weight require the use of special handling or equipment to load, unload or to transport, and *parts, materials, and supplies* related thereto when their transportation is incidental to the transportation of commodities which by reason of size or weight require the use of special handling or equipment, from points in Utah to points in Oregon and Washington; from points in California to points in Oregon, Washington, and Idaho, and from points in Washington east of

the Cascade range to points in Multnomah County, Oreg.

HEARING: June 11, 1959, at the Ground Floor, Pittock Block, 410 Southwest 10th Street, Portland, Oreg., before Examiner Michael B. Driscoll.

No. MC 118757, filed March 4, 1959. Applicant: W. P. MIMS AND ARVIL L. MIMS, doing business as W. P. MIMS & SON, Ludowici, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern Nat'l Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, dressed or rough, *poles*, *pilings*, *cross ties*, *concrete piling*, *concrete slabs* and *concrete blocks*, between points in Bulloch, Burke, Chatham, Emanuel, Greene, Glynn, Liberty, Long, McIntosh, Washington, and Wayne Counties, Ga., and the cities of Fairfax, McCormick, Orangeburg, and Walterboro, S.C., on the one hand, and, on the other, points in Georgia and South Carolina; (2) *Lumber*, dressed or rough, *poles*, *tiling*, *concrete slabs* and *concrete blocks*, between points in Bulloch, Burke, Chatham, Emanuel, Greene, Glynn, Liberty, Long, McIntosh, Washington, and Wayne Counties, Ga., and the cities of Fairfax, McCormick, Orangeburg, and Walterboro, S.C., on the one hand, and, on the other, points in Alabama, Florida, North Carolina, and Virginia.

HEARING: June 3, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 118770, filed March 9, 1959. Applicant: MURRAY W. CALDWELL, doing business as CARDIGAN MT. MOTOR TRANS., Canaan, N.H. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bags, and *cement* in bulk, in dump vehicles, from Hudson, N.Y., and Rockland, Maine, to points in New Hampshire.

HEARING: June 3, 1959, at the New Post Office and Court House Building, Boston, Mass., before Examiner Lucian A. Jackson.

No. MC 118771, filed March 9, 1959. Applicant: ORE-IDA LUMBER COMPANY, INC., Ontario, Oreg. Applicant's attorney: Kenneth G. Bell, 203 McCarty Building, Boise, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Wallowa, Baker, Malheur, Harney, Union, and Grant Counties, Oreg., and Valley, Adams, Washington, Payette, and Gem Counties, Idaho, to points in Davis, Salt Lake, Utah, Grand, Wayne, and San Juan Counties, Utah, and *empty containers* or *other such incidental facilities*, on return.

HEARING: June 5, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Examiner Michael B. Driscoll.

No. MC 118773, filed March 9, 1959. Applicant: REYNOLDS REFRIGERATED TRUCK SERVICE, INC., 4500 East 14th, Brownsville, Tex. Applicant's attorney: Maynard F. Robinson, Frost National Bank Building, San Antonio, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: (1) *Frozen fruits*, *frozen berries* and *frozen vegetables*, including *concentrates thereof*, (a) between points in California, Texas, Washington, Oregon, Arizona, and Florida; (b) from points in California, Texas, Washington, Oregon, Arizona, and Florida to points in Indiana, Ohio, Missouri, Nebraska, Florida, Louisiana, Iowa, Minnesota, Wisconsin, Colorado, New Mexico, Georgia, Alabama, Arkansas, Kansas, Missouri, Tennessee, Kentucky, Illinois, Ohio, Michigan, West Virginia, Maryland, Pennsylvania, New York, New Jersey, Rhode Island, Delaware, Virginia, Oklahoma, Iowa, Connecticut, North Carolina, Mississippi, District of Columbia, and Massachusetts; (2) *bananas*, (a) between points in Texas, Louisiana, California, and Arizona; (b) from points in Texas, Louisiana, California, and Arizona to points in Oklahoma, Arkansas, New Mexico, and Colorado; (3) *hemp*, from points in Louisiana to points in Texas, Arkansas, Missouri, Illinois, New York, and Pennsylvania.

NOTE: The subject application was tendered under section 7 of the Transportation Act of 1958. As it was filed after the statutory date for filing applications under section 7 of that Act it will be handled as an application for authority under the applicable provisions of Part II of the Interstate Commerce Act.

HEARING: June 25, 1959, at the Federal Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Frank R. Saltzman.

No. MC 118782, filed March 12, 1959. Applicant: KERN L. SMITH, P.O. Box 1101, York, Pa. Applicant's representative: John W. Frame, 603 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, *frozen berries* or *frozen vegetables*, between Baltimore and Fruitland, Md., Sodus, Williamson, Rochester, and Fernham, N.Y., Bridgeton, Salem, and Pitman, N.J., Morgantown, Philadelphia, and Lancaster, Pa., Plant City, Miami, and Lake City, Fla., New Iberia, La., Chicago, Ill., and Cleveland, Ohio, and points in Maryland, New Jersey, the District of Columbia, Alabama, Florida, Illinois, Ohio, New York, Texas, Louisiana, Delaware, Pennsylvania, and Missouri.

NOTE: Applicant also requests the right to transport the above-described commodities in mixed shipments with other exempt commodities. Applicant states it owns stock of Penn-Dixie Lines, Inc., operating under Certificate No. MC 110190 and sub numbers thereunder; therefore, common control may be involved.

HEARING: June 5, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo W. Cunningham.

No. MC 118791, filed March 13, 1959. Applicant: TRUCK SERVICE, INC., 1082 Huff Road NW., Atlanta 18, Ga. Applicant's attorney: Allan Watkins, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wrecked or disabled motor vehicles*, (2) *tractors*

when used in connection with the transportation of wrecked or disabled motor vehicles, between points in Michigan, Illinois, Indiana, Ohio, Pennsylvania, West Virginia, Virginia, Maryland, District of Columbia, Kansas, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Kentucky.

NOTE: Applicant states the purpose of (2) above is to transport tractors to or from the site of the wrecked or disabled vehicles prior to the transportation of the wrecked or disabled vehicle.

HEARING: June 12, 1959, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Mack Myers.

No. MC 118793, filed March 17, 1959. Applicant: J. FRANCES McCARTHY, doing business as MAC TRANSPORT LINES, 63 Parkside Street, Springfield 4, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer* and *malt beverages*, in cases or barrels, from Willimansett, Mass., to points in Columbia, Rensselaer, Albany, Schenectady, Montgomery, Fulton, Saratoga, Washington, Schoharie, Hamilton, Otsego, Greene, Dutchess, Ulster, Putnam, Orange, Sullivan, Oneida, Madison, Onondaga, Warren, Essex, and Herkimer Counties, N.Y., and *empty containers* or *other such incidental facilities* (not specified) used in transporting the above commodities on return.

HEARING: June 15, 1959, at the U.S. Court Rooms, Hartford, Conn., before Joint Board No. 191, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 118824, filed March 26, 1959. Applicant: R. M. MACKAY CO., a corporation, 512 West Lacock Street, Pittsburgh 12, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy* and *confections*, from Pittsburgh, Pa., to points in Erie, Warren, Crawford, Mercer, Venango, Forest, Elk, Clarion, Jefferson, Clearfield, Centre, Union, Lawrence, Butler, Armstrong, Indiana, Cambria, Blair, Huntingdon, Bedford, Somerset, Fayette, Greene, Westmoreland, Allegheny, and Washington Counties, Pa., and *refused* or *rejected shipments* of candy and confections, on return.

HEARING: June 3, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James H. Gaffney.

No. MC 118833, filed March 30, 1959. Applicant: MALCOLM W. ARMSTRONG, doing business as ARMSTRONG TRUCKING, Rt. 2, Box 322A, Lynden, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pink shale concrete building blocks*, from Cle Elum, Wash., to Point Roberts, Wash., and *empty containers* or *other such incidental facilities* (not specified), used in transporting the above commodities on return.

HEARING: June 2, 1959, at the Federal Office Building, First and Marion

Streets, Seattle, Wash., before Joint Board No. 80.

No. MC 118868, filed April 13, 1959. Applicant: JAY CONRAD AND GALE RICKNER, JR., A Partnership, doing business as RICK-CON TRUCKING CO., RR No. 2, Columbia City, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bulk-sacked animal and poultry feed*, from Lima, Ohio, to points in Indiana bounded by a line commencing at the Indiana-Michigan State line at U.S. Highway 421 (at or near Michigan City, Ind.), southerly over U.S. Highway 421 to junction Indiana Highway 43, thence over Indiana Highway 43 to junction Indiana Highway 38 at Lafayette, Ind., and thence over Indiana Highway 38 to the Indiana-Ohio State line; and *rejected shipments* of the above-described commodities, on return.

HEARING: July 2, 1959, at the U.S. Court Rooms, Indianapolis, Ind., before Joint Board No. 60.

No. MC 118874, filed April 16, 1959. Applicant: O-RIGHT TRANSFER AND STORAGE COMPANY, INC., 1919 West 17th South Street, Salt Lake City, Utah. Applicant's attorney: Harold N. Wilkinson, 10 Executive Building, 455 East Fourth South, Salt Lake City 11, Utah. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Imported baling and binder twine, imported baling wire, and imported barbed wire and wire fencing*, from Ports of Entry at Long Beach, Los Angeles, Oakland, San Diego, San Francisco, San Pedro, Stockton, and Wilmington, Calif., Portland, Oreg., and Seattle and Vancouver, Wash., to points in Arizona, Idaho, Montana, and Utah; and *exempt commodities*, on return.

HEARING: June 18, 1959, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 248), filed January 8, 1959. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, General Counsel, Law Department, Public Service Coordinated Transport (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip special operations, beginning and ending at Jersey City and Newark, N.J., and extending to Charles Town Race Track at Charles Town, W. Va.

HEARING: June 24, 1959, at the U.S. Court Rooms, Newark, N.J., before Examiner Lucian A. Jackson.

No. MC 37904 (Sub No. 3) (CORRECTION), filed January 19, 1959, published issue of March 25, 1959. Applicant: VALLEY TRANSIT LINES, INC., P.O. Box 730, Broadway and English, Wichita, Kans. Applicant's attorney: C. Zimmerman, P.O. Box 730, 300 South Broadway, Wichita, Kans. Authority sought to operate as a *common carrier*, by motor

vehicle, over a regular route, transporting: *Passengers and their baggage, light express and newspapers*, in the same vehicle with passengers, (1) between Costilla, N. Mex., and junction unnumbered highway and Colorado Highway 159, from Costilla over unnumbered highway via Garcia Corner, N. Mex., to junction New Mexico Highway 3, thence over New Mexico Highway 3 to the New Mexico-Colorado State line, thence over Colorado Highway 159, a distance of approximately one mile, to junction unnumbered highway, and return over the same route, serving all intermediate points. (2) Change of Operation: Applicant requests permission to change its operation by suspension of service over that portion of its authorized route, as follows: From Garcia Corner, N. Mex., over unnumbered road to the New Mexico-Colorado State line, thence continuing over unnumbered road via Garcia, Colo., to junction Colorado Highway 159. Applicant is authorized to conduct operations in Colorado and New Mexico.

NOTE: Common Control may be involved.

NOTE: This republication correctly identifies the point referred to as "Corner" as "Garcia Corner", in Route (1) of the previous publication.

HEARING: Remains as assigned: May 27, 1959, at the Hilton Hotel, Albuquerque, N. Mex., before Joint Board No. 125, or, if the Joint Board waives its right to participate, before Examiner Robert A. Joyner.

No. MC 50862 (Sub No. 5), filed April 3, 1959. Applicant: WHITE CIRCLE LINE, INCORPORATED, 24 Brainard Road, Thompsonville, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations, who at the time are traveling from the designated origin points to the designated destination points and return, for the purpose of participating in the game commonly referred to as Beano or Bingo, between Springfield, Westfield, and Ludlow, Mass., on the one hand, and, on the other, Thompsonville and Enfield, Conn. Applicant is authorized to conduct regular route operations in Connecticut and Massachusetts.

HEARING: June 15, 1959, at the U.S. Court Rooms, Hartford, Conn., before Joint Board No. 22, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

No. MC 58915 (Sub No. 37), filed April 10, 1959. Applicant: LINCOLN TRANSIT CO., INC., U.S. Highway 46, East Paterson, N.J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, between Brick Township, N.J., and Dover Township, N.J.: in Brick Township, from junction Ocean County Road 549 and Garden State Parkway Interchange Road 90, over Ocean County Road 549 to junction with Washington Street in the Toms River Section of Dover Township, and thence over Washington Street to junc-

tion U.S. Highway 9 in Dover Township, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in New York and New Jersey.

HEARING: May 19, 1959, at the N.J. Board of Public Utility Commissioners, State Office Building, Raymond Boulevard, Newark, N.J., before Joint Board No. 119.

No. MC 75289 (Sub No. 20), filed March 19, 1959. Applicant: D.C. TRANSIT SYSTEM, INC., 3600 M Street NW., Washington 7, D.C. Applicant's attorneys: Harvey M. Spear and John R. Sims, Jr., D.C. Transit System, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, in seasonal operations during racing meets, between Washington, D.C., and the Marlboro Race Track, Md.: from Washington via existing City streets to the Maryland-District of Columbia State line at Suitland Parkway, thence via Suitland Parkway to its intersection with Maryland Highway 4, and thence Maryland Highway 4 to Upper Marlboro Race Track, and return over the same route, serving no intermediate points. Applicant is authorized to conduct common carrier operations in Virginia, Maryland, and the District of Columbia.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 116755 Sub 4.

HEARING: June 2, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 120.

No. MC 75289 (Sub No. 21), filed March 19, 1959. Applicant: D.C. TRANSIT SYSTEM, INC., 3600 M Street NW., Washington 7, D.C. Applicant's attorneys: Harvey M. Spear, and John R. Sims, Jr., D.C. Transit System, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, in seasonal operations during racing meets, between Washington, D.C., and Baltimore Raceway, Md.: from Washington via existing City streets to the Maryland-District of Columbia State line at the Baltimore-Washington Parkway, thence via Baltimore-Washington Parkway to the Baltimore Harbor Tunnel Expressway, thence via the Baltimore Harbor Tunnel Expressway and U.S. Highway 40 to the Roadway leading to Baltimore Raceway, thence on said Roadway to the Baltimore Raceway, and return over the same route, serving no intermediate points. Applicant is authorized to conduct common carrier operations in Virginia, the District of Columbia, and Maryland.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 116755 Sub No. 4.

HEARING: June 2, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 120.

No. MC 75289 (Sub No. 22), filed March 19, 1959. Applicant: D.C. TRANSIT SYSTEM, INC., 3600 M Street NW., Washington 7, D.C. Applicant's attorneys: Harvey M. Spear and John R. Sims, Jr., D.C. Transit System, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, in seasonal operations during racing meets, between Washington, D.C., and Rosecroft Raceway, Md.: from Washington via existing City streets to the Maryland-District of Columbia State line at South Capitol Street, thence over Indian Head Road (Md. 210), to its intersection with Livingston Road, thence via Livingston Road to its intersection with Oxon Hill Road (Md. 414), thence over Oxon Hill Road (Md. 414) to its intersection with Brinkley Road, thence Brinkley Road to the Roadway leading to Rosecroft Raceway, and thence on Roadway to the Rosecroft Raceway, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Virginia, Maryland, and the District of Columbia.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 116755 Sub 4.

HEARING: June 2, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 120.

No. MC 115262 (Sub No. 1), filed March 10, 1959. Applicant: RED LION BUS COMPANY, a corporation, 22 East Avenue, Red Lion, Pa. Applicant's attorney: John M. Musselman, State Street Building, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *Passengers and their baggage, and express, newspapers, and mail*, in the same vehicle with passengers, between Whiteford, Md., and York, Pa., from Whiteford over Maryland Highway 165 to the Maryland-Pennsylvania State line, thence over Pennsylvania Highway 74 to York, and return over the same route, serving all intermediate points. Applicant is authorized to conduct special and charter operations in Maryland, New York, Pennsylvania, Virginia, and the District of Columbia.

HEARING: June 4, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 74.

No. MC 110604 (Sub No. 2), filed March 2, 1959. Applicant: VIRGIL BOYD, doing business as CLEARWATER STAGE LINES, Grangeville, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, newspapers and mail* in the same vehicle with passengers, between junction Idaho Highways 9 and 11, near Greer, Idaho, and Kamiah, Idaho: from junction Idaho Highways 9 and 11, near Greer, over Idaho Highway 9 to Kamiah, and return over the same route, serving all intermediate points. Applicant is authorized to conduct similar operations between Lewiston and

Grangeville, Idaho, and between Lewiston and Headquarters, Idaho.

HEARING: June 3, 1959, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Joint Board No. 49, or, if the Joint Board waives its right to participate, before Examiner Michael B. Driscoll.

APPLICATIONS FOR BROKERAGE LICENSES MOTOR CARRIERS OF PROPERTY

No. MC 12602 (Sub No. 1) (CORRECTION), filed January 14, 1959, published issue of April 1, 1959. Applicant: FRANCIS T. MALONEY AND M. KATHLEEN MALONEY, doing business as O'CONNER TRAVEL BUREAU, 18 West Falls Street, Niagara Falls, N.Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D.C. For a license (BMC 5) authorizing operations as a *broker* in arranging, procuring and selling a motor carrier transportation service on railroads operating in the States of New York, Pennsylvania, Ohio, Indiana, Michigan, and Illinois. The motor transportation sold on trains moving in the aforementioned states would be conducted at or near Niagara Falls, N.Y., and will encompass the arranging of transportation between all points in the United States. The motor carrier transportation will be sold to persons who are passengers aboard railroads operating in the above states, which railroads regularly conduct excursion trips to the Niagara Falls-New York sightseeing area. Applicant is presently authorized to conduct operations as a *broker* in arranging for transportation by motor vehicle at Niagara Falls, N.Y., and extending to points in the United States.

HEARING: Remains as assigned May 7, 1959, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Donald R. Sutherland.

No. MC 12701, filed March 23, 1959. Applicant: PETER N. STEVENSON, doing business as ALL STATES TRUCK BROKERAGE, 14 Fargo Market Terminal, South Boston, Mass. Authority sought to operate as a *Broker (BMC 4)* at South Boston, Mass., in arranging for transportation in interstate or foreign commerce by motor vehicle, of: *General commodities*, except Class A and B explosives, precious stones, currency, lumber forest products, and petroleum products in bulk, between points in the United States, including Alaska.

HEARING: June 8, 1959, at the New Post Office and Court House Building, Boston, Mass., before Joint Board No. 231, or, if the Joint Board waives its right to participate, before Examiner Lucian A. Jackson.

MOTOR CARRIERS OF PASSENGERS

No. MC 12696, filed March 5, 1959. Applicant: ALICE M. DOMENICK, JOHN A. ROSSI AND FRANK L. ROSSI, doing business as HARFORD MOTOR COACH COMPANY, 2739-41 Greenmount Avenue, Baltimore 18, Md. For a License (BMC 5) to engage in operations as a *broker* at Baltimore, Md., in arranging for the transportation by motor vehicle in interstate or foreign commerce of *individual passengers and groups of passengers and their baggage*, in the

same vehicle with passengers, between points in the United States, including Alaska, points on the International Boundary lines between the United States and Mexico, and Canada.

NOTE: Applicant indicates it will plan trips as far north as Canada, west as California and south to Cuba, for individuals and religious, charitable, patriotic and political organizations in Baltimore and the surrounding territory.

HEARING: June 8, 1959, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 112.

No. MC 12699, filed March 16, 1959. Applicant: WILLIAM CHARLES DENSON, doing business as DENSON EDUCATIONAL TOUR, 3224 Albans Road, Houston 5, Tex. Applicant's attorney: A. C. Leshner, Jr., 628 Texas National Bank Building, Houston 2, Tex. For a license (BMC 5) authorizing operations as a *broker* at Houston, Tex., in arranging for transportation in interstate or foreign commerce, by motor vehicle, of *Groups of passengers and their baggage*, in charter operations, in round-trip all-expense travel tours, in seasonal operations during the summer months of each year, beginning and ending at Houston, Tex., and extending to points in the United States, including ports of entry located on the International Boundary lines between the United States and Canada and Mexico.

HEARING: June 23, 1959, at the Federal Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 12703, filed April 13, 1959. Applicant: ELMA PECK, 330 West Third North, Payson, Utah. Applicant's attorney: Calvin L. Rampton, 721 Continental Bank Building, Salt Lake City, Utah. For a license (BMC 5) to engage in operations as a *broker* at Payson, Utah in arranging for the transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, in the same vehicle with passengers, both as individuals and groups, in round-trip charter all-expense tours and sightseeing trips, beginning and ending at points in Utah and extending to points in the United States.

HEARING: May 29, 1959, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207, or, if the Joint Board waives its right to participate, before Examiner Alton R. Smith.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 106965 (Sub No. 131), filed April 16, 1959. Applicant: M. I. O'BOYLE & SON, INC. doing business as O'BOYLE TANK LINES, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, (1) from Winchester, Va., to Medina, N.Y.; (2) from Medina, N.Y., to Pittsburgh, Pa. Applicant is authorized to conduct operations in

Delaware, the District of Columbia, Illinois, Indiana, Maryland, Minnesota, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin.

No. MC 118871, filed April 14, 1959. Applicant: H. T. MILLS, doing business as CONTRACT HAULER, 109 South 41st Street, Birmingham, Ala. Applicant's attorney: J. Douglas Harris, 413 Bell Building, Montgomery, Ala. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: *Reinforcing steel*, from Birmingham, Ala., to points in Alabama, Georgia, and South Carolina.

No. MC 118872, filed April 13, 1959. Applicant: GEORGE LAVALLEY, Mooers, Clinton County, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemical fertilizer materials and mixtures*, in bags, from the International Boundary line between the United States and Canada through ports of entry of Champlain, Mooers, Churubusco and Trout River, N.Y., to points and farms located in Mooers, Ellenburg, Chateaugay, and Malone, N.Y., and Clinton and Franklin Counties, N.Y. Applicant is authorized to conduct common carrier operations under Docket No. MC 116378 Sub 1. Dual operations under Section 210 may be involved.

No. MC 118877, filed April 17, 1959. Applicant: LAWRENCE EUGENE COGGINS, doing business as COGGINS HAULING, Point Pleasant Avenue, Raspeburg 6, Md. Applicant's representative: Donald E. Freeman, Uniontown Road, Box 24, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sports equipment, uniforms, balls, and players' baggage*, in truckload lots, between Baltimore, Md., and Washington, D.C.

APPLICATIONS UNDER SECTION 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 6608 (EAGLE MOTOR LINES, INC.—PURCHASE—WHITFIELD TRUCK LINE), published in the June 19, 1957, issue of the FEDERAL REGISTER on page 4342. Second application filed April 16, 1959, for temporary authority under section 210a(b).

No. MC-F 7112 (NEW ENGLAND TRANSPORTATION CO.—PURCHASE—H. E. SWEZEY & SON MOTOR TRANSPORTATION, INC.), published in the March 4, 1959, issue of the FEDERAL REGISTER on page 1624. By court order dated April 14, 1959, M. JAY FEIN was substituted as Trustee for vendor in lieu of RALPH-J. PALMER, who executed the application as Assignee.

No. MC-F 7161. Authority sought for purchase by UNITED TRANSPORTS, INC., 4900 North Santa Fe Avenue, Okla-

homa City, Okla., of a portion of the operating rights of DEALERS TRANSIT, INC., 498 West 138th Street, Chicago, Ill., and for acquisition by ROY G. WOODS, also of Oklahoma City, of control of such rights through the purchase. Applicants' attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Operating rights sought to be controlled and merged: *New automotive vehicles (except trailers), chassis, and automobile show equipment, displays, and advertising matter* when moving with these commodities, as a *common carrier* over irregular routes, from points in St. Louis County, Mo., to points in Illinois, Indiana, Missouri, Tennessee, Iowa, Arkansas, Oklahoma, and Kansas. This authority covers only initial movements, in driveway and truckaway service. Vendee is authorized to operate as a *common carrier* in Missouri, Oklahoma, Texas, Indiana, Ohio, Kansas, New Mexico, Arizona, Tennessee, and Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7170. Authority sought for purchase by DIECKBRADER EXPRESS, INC., 5391 Eastern Avenue, Cincinnati 26, Ohio, of the operating rights and property of EVANS MOTOR FREIGHT, INC., 114 South Walnut Street, Van Wert, Ohio, and for acquisition by R. E. DIECKBRADER, also of Cincinnati, of control of such rights and property through the purchase. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Operating rights sought to be transferred: *Parts for fiber drums*, as a *common carrier* over a regular route, from Van Wert, Ohio, to Midland, Mich., serving no intermediate points; *household goods* as defined by the Commission, over irregular routes, between Van Wert, Ohio, on the one hand, and, on the other, points in Indiana and Michigan; *fiber drums*, from Van Wert, Ohio, to certain points in Missouri, Illinois, Indiana, and Michigan. Vendee is authorized to operate as a *contract carrier* in Illinois, Missouri, Indiana, Kentucky, Ohio, Michigan, West Virginia, Iowa, Minnesota, Wisconsin, and Tennessee. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7171. Authority sought for purchase by C. L. HOLDER TRUCKING COMPANY, P.O. Box 525, Kermit, Tex., of a portion of the operating rights of C. M. JEFFRIES TRUCKING COMPANY, 121 North Hobart, Pampa, Tex., and for acquisition of control of such rights by FREEDA MAE HOLDER BROCK, Kermit, Tex., individually and as trustee for CARL LEROY HOLDER and BURNSIE HOLDER and as Executrix of the Estate of C. L. HOLDER, deceased. Applicants' attorneys: Thomas E. James, P.O. Box 858, Austin 65, Tex., and W. D. Girand, Lea County State Bank Building, Hobbs, N. Mex. Operating rights sought to be transferred: *Oilfield commodities*, as a *common carrier* over irregular routes between points in Texas, Oklahoma, New Mexico, and Kansas, and between points in Texas and points in Beaver, Cimarron, and Texas Counties, Okla., on the one hand, and, on the other, certain points in Colorado.

Carrier may combine the above-described irregular-route authorities at a point common to both to which the carrier may transport a given commodity under one authority and from which it may transport the same commodity under the other and establish through service under such combination provided in each instance the commodity is transported through the common or gateway point, and provided further that this certificate does not contain any restriction or other indication that through service shall not be conducted. Vendee holds no authority from this Commission; however, FREEDA MAE HOLDER BROCK AND CARL LEROY HOLDER, BURNSIE HOLDER, FREEDA MAE HOLDER BROCK, TRUSTEE, a partnership, doing business as C. L. HOLDER TRUCKING COMPANY, Kermit, Tex., is authorized to operate as a *common carrier* in New Mexico and Texas. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7173. Authority sought for purchase by BURLINGTON TRUCK LINES, INC., 547 West Jackson Boulevard, Chicago 6, Ill., of the operating rights of FILBEY FREIGHT LINES, INC., 230 South River Street, Aurora, Ill. Applicants' attorney: James A. Gillen, 547 West Jackson Boulevard, Chicago 6, Ill. Operating rights sought to be transferred: *General commodities*, except perishable commodities as a *common carrier* over regular routes between Aurora, Ill., and Chicago, Ill., serving the intermediate point of La Grange, Ill. Vendee is authorized to operate as a *common carrier* in Colorado, Nebraska, Missouri, Illinois, Iowa, Wyoming, and Kansas. Application has been filed for temporary authority under section 210 a(b).

No. MC-F 7174. Authority sought for purchase by J. H. ROSE TRUCK LINE, INC., 3804 Jensen Drive (P.O. Box 16037), Houston, Tex., of a portion of the operating rights of R. L. ROGERS, H. L. ROGERS, AND H. L. ROGERS, JR., doing business as ROGERS TRUCK LINE, P.O. Box 116, Sidney, Nebr., and for acquisition by J. H. ROSE, JR., also of Houston, of control of such rights through the purchase. Applicants' attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Operating rights sought to be transferred: *Oilfield commodities*, as a *common carrier* over irregular routes, between points in Texas, on the one hand, and, on the other, points in Georgia, Alabama, and Florida, between points in Georgia, Alabama, and Florida, and between Kilgore, Tex., and points in Texas within 200 miles of Kilgore, on the one hand, and, on the other, points in Arkansas, Louisiana, Mississippi, and Oklahoma. Vendee is authorized to operate as a *common carrier* in Arkansas, California, Kansas, Louisiana, New Mexico, Oklahoma, Texas, Arizona, Colorado, Utah, Wyoming, Montana, Idaho, North Dakota, South Dakota, Nebraska, and Nevada. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7175. Authority sought for purchase by J. H. ROSE TRUCK LINE, INC., 3804 Jensen Drive (P.O. Box 16037), Houston, Tex., of a portion of the op-

erating rights of C. M. JEFFRIES TRUCKING COMPANY, 121 North Hobart, Pampa, Tex., and for acquisition by J. H. ROSE, JR., also of Houston, of control of such rights through the purchase. Applicants' attorneys: Charles D. Mathews and Thomas E. James, both of P.O. Box 858, Austin 65, Tex. Operating rights sought to be transferred: *Commodities* which because of size or weight require the use of special equipment and *parts thereof*, when moving in connection with such commodities, as a *common carrier* over irregular routes, between points in Texas, Oklahoma, New Mexico, and Kansas. Vendee is authorized to operate as a *common carrier* in Arkansas, California, Kansas, Louisiana, New Mexico, Oklahoma, Texas, Arizona, Colorado, Utah, Wyoming, Montana, Idaho, North Dakota, South Dakota, Nebraska, and Nevada. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7176. Authority sought for purchase by THE MCFARLAND TRANSPORTATION COMPANY, 1007 Dixwell Avenue, New Haven, Conn., of the operating rights and certain property of PHILANDER COOKE, doing business as COOKE'S EXPRESS COMPANY, 15 Middletown Avenue, North Haven, Conn., and for acquisition by JOSEPH G. MCFARLAND, JR., 1007 Dixwell Avenue, Hamden, Conn., of control of such rights and property through the purchase. Applicants' attorney: Hugh M. Joseloff, 410- Asylum Street, Hartford, Conn. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes, between New Haven, Conn., and Springfield, Mass., between New Haven, Conn., and Hartford, Conn., between New Haven, Conn., and Bridgeport, Conn., between New Haven, Conn., and Norwich, Conn., between New Haven, Conn., and Waterbury, Conn., and between Westfield, Mass., and Northampton, Mass., serving certain intermediate and off-route points; *general commodities*, with certain exceptions including household goods and commodities in bulk, over irregular routes, from New Haven, Conn., to Apponaug and Providence, R.I., and points in Massachusetts; *packing-house products*, from Springfield, Mass., to certain points in Connecticut and Massachusetts. Vendee is authorized to operate as a *common carrier* in New York, Connecticut, New Jersey, Massachusetts, Rhode Island, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-3600; Filed, Apr. 28, 1959;
8:47 a.m.]

[Notice 83]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICE

APRIL 24, 1959.

The following letter-notices of proposals to operate over deviation routes

for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's special rules revised, 1957 (49 CFR 211.1(c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 67646 (Sub No. 2) (Deviation No. 5), HALL'S MOTOR TRANSIT COMPANY, P.O. Box 738, Sunbury, Pa., filed April 16, 1959. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Sandy Lake, Pa. and Parkman, Ohio, as follows: from Sandy Lake over U.S. Highway 62 to junction Ohio Highway 82, thence over Ohio Highway 82 to Warren, Ohio, thence over U.S. Highway 422 to Parkman and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities from Sandy Lake over Alternate U.S. Highway 322 (formerly Pennsylvania Highway 358) to Greenville, Pa., thence over Pennsylvania Highway 358 to the Pennsylvania-Ohio State line, thence over Ohio Highway 88 to Parkman, and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1504 (Deviation No. 3), ATLANTIC GREYHOUND CORPORATION, P.O. Box 2553, Charleston 29, W. Va., filed April 9, 1959. Carrier proposes to operate as a *common carrier*, by motor vehicle of *passengers*, over a deviation route between the junction of U.S. Highway 29 and the Salisbury, N.C., By-Pass, approximately 6 miles north of Salisbury, and the junction of U.S. Highway 29 and the Salisbury By-Pass, approximately nine miles south of Salisbury, as follows: from the junction of U.S. Highway 29 and the Salisbury By-Pass north of Salisbury over the Salisbury By-Pass to the junction of U.S. Highway 29 south of Salisbury and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers between the named points over U.S. Highway 29.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-3601; Filed, Apr. 28, 1959;
8:47 a.m.]

[Notice 8]

APPLICATIONS FOR MOTOR CARRIER CERTIFICATE OR PERMIT COVER- ING OPERATIONS COMMENCED DURING "INTERIM" PERIOD

APRIL 24, 1959.

The following applications and certain other procedural matters relating thereto are filed under the "interim" clause of section 7(c) of the Transportation Act of 1958. These matters are governed by Special Rule § 1.243 published in the FEDERAL REGISTER issue of January 8, 1959, page 205, which provides, among other things, that this publication constitutes the only notice to interested persons of filing that will be given; that appropriate protests to an application (consisting of an original and six copies each) must be filed with the Commission at Washington, D.C., within 30 days from the date of this publication in the FEDERAL REGISTER; that failure to so file seasonably will be construed as a waiver of opposition and participation in such proceeding, regardless of whether or not an oral hearing is held in the matter; and that a copy of the protest also shall be served upon applicant's representative (or applicant, if no practitioner representing him is named in the notice of filing).

These notices reflect the operations described in the applications as filed on or before the statutory date of December 10, 1958.

No. MC 113651 (Sub No. 27), filed December 10, 1958. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought under section 7 of the Transportation Act of 1958 to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in Maryland, New Jersey, New York, and Pennsylvania, to points in Michigan.

No. MC 117940, filed December 2, 1958. Applicant: NATIONWIDE CARRIERS, INC., 2200 University Avenue, St. Paul, Minn. Applicant's attorneys: William S. Rosen, Builders Exchange, Minneapolis 2, Minn., and Harry D. Cohen, 139 North Clark, Suite 1011, Chicago, Ill. Authority sought under section 7 of the Transportation Act of 1958 to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cocoa beans*, and *coffee beans*, in straight and in mixed loads with *certain exempt commodities*, from points in New York, Massachusetts, Minnesota, New Jersey, Pennsylvania, and Georgia to points in Illinois, Indiana, New Jersey, New York, Wisconsin, North Carolina, Minnesota, Louisiana, Georgia, and Missouri.

NOTE: Applicant states that between May 1, 1958 and August 12, 1958 and continuously thereafter, applicant was engaged in the transportation of shelled and unshelled nuts in the same vehicle and at the same time with the above-specified commodities. Applicant herewith applies for "Interim" operation rights authorizing the continuance of such transportation.

No. MC 118362 (Sub No. 1), filed December 10, 1958. Applicant: E. F. BUSHMAN, doing business as SAWYER DRAY LINE, 341 North Third Street, Sturgeon Bay, Wis. Applicant's attor-

ney: Robert R. Hendon, Investment Building, Washington 5, D.C. Authority sought under section 7 of the Transportation Act of 1958 to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, and *frozen berries*, from Green Bay and Sturgeon Bay, Wis., and Muskegon, and Manistee, Mich., to Lake City, Pa., Sturgeon Bay, Wis., Chicago, Ill., St. Louis, Mo., Cedar Rapids, Des Moines, and Laurens, Iowa, and St. Paul, and Minneapolis, Minn.

NOTE: Common control may be involved.

No. MC 118372 (Sub No. 1), filed December 10, 1958. Applicant: GENE SQUIRES, doing business as GENE SQUIRES TRUCKING CO., 5614 East 10th Street, Kansas City 26, Mo. Applicant's attorney: Carl V. Kretsinger, Kretsinger & Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought under section 7 of the Transportation Act of 1958 to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, *frozen berries*, *frozen vegetables* and *bananas*, from points in California, and New Orleans, La., to points in Colorado, Kansas, Missouri, Illinois, and Indiana.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-3603; Filed, Apr. 28, 1959;
8:47 a.m.]

[Notice 116]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 24, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61919. By order of April 22, 1959, the Transfer Board approved the transfer to Hyman Motor Service Co., a Corporation, of the operating rights in Corrected Certificate No. MC 493 and Certificate No. MC 493 Sub 3, issued February 24, 1959, and March 16, 1959, respectively, to Everett E. Pratt, doing business as Hyman Motor Service, Co., authorizing the transportation, over regular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Quincy, Ill., and St. Louis, Mo., and between Quincy, Ill., and Macomb,

Ill. Mack Stephenson, 208 East Adams Street, Springfield, Ill., for applicants.

No. MC-FC 61943. By order of April 22, 1959, the Transfer Board approved the transfer to Simowitz Bros., Trucking Co., Inc., Brooklyn, N.Y., of certificate in No. MC 74549, issued July 27, 1955, to Meyer Simowitz, doing business as Simowitz Bros. Trucking Co., Brooklyn, N.Y., authorizing the transportation of: *Building materials*, and *steel pipe*, between New York, N.Y., on the one hand, and, on the other, points in that part of Connecticut, New Jersey, and New York within 50 miles of Columbus Circle, New York, N.Y. Edward M. Alfano, 36 West 44th Street, New York 36, N.Y., for applicants.

No. MC-FC 61958. By order of April 20, 1959, the Transfer Board approved the transfer to Everett R. Rife, Mondamin, Iowa, of certificate No. MC 34453, issued November 1, 1951, to Harold E. Brown, Mondamin, Iowa, authorizing the transportation of: *Feed*, *building materials*, *farm machinery*, *farm implements* and *parts*, over regular routes, from Omaha, Nebr., to Mondamin, Iowa, with service to intermediate and off-route points in Iowa within 15 miles of Mondamin.

No. MC-FC 61963. By order of April 20, 1959, the Transfer Board approved the transfer to Dunbar Transfer & Storage Company, Inc., Memphis, Tenn., of Certificate No. MC 6143, issued October 6, 1955, to W. A. West, doing business as Dunbar Transfer & Storage Company, Memphis, Tenn., authorizing the transportation of: *General commodities*, excluding household goods, commodities in bulk, and other specified commodities, between West Memphis, Ark., U.S. Engineer Depot (near West Memphis), and points in Shelby County, Tenn. John Costen, 208 Adams Avenue, Memphis, Tenn., for applicants.

No. MC-FC 61975. By order of April 20, 1959, the Transfer Board approved the transfer to Gerald E. Sines, doing business as Zip Transfer, McCook, Nebr., of Certificate No. MC 57700 Sub 1, issued April 10, 1943, to Harold LeRoy Campbell, doing business as Campbell Transfer, McCook, Nebr., authorizing the transportation of: *General commodities*, excluding household goods and other specified commodities, between McCook, Nebr., and Haigler, Ogallala, and Stockville, Nebr., serving specified intermediate and off-route points. LaFayette D. Hurley, 124 West C Street, McCook, Nebr., for applicants.

No. MC-FC 61979. By order of April 20, 1959, the Transfer Board approved the transfer to A. F. Builders, Inc., Harrisburg, Pa., of a portion of Certificate No. MC 18684, issued October 10, 1949, to W. H. Wilson and C. J. Wilson, doing business as Wilson Moving & Storage Co., Buffalo, N.Y., authorizing the transportation of: *Unrated machinery* and *printers' equipment*, between points in New York, New Jersey, Pennsylvania, and Ohio. C. Marius Haayen, 512 North Second Street, Harrisburg, Pa., for applicants.

No. MC-FC 62107. By order of April 20, 1959, the Transfer Board approved

the transfer to Mathews Trucking Company, Inc., of Oil City, La., of Certificate No. MC 62661 issued October 17, 1950, in the name of G. M. Bagley, Oil City, La., authorizing the transportation, over irregular routes, of *lumber*, *fence posts* and *telegraph and telephone poles*, between Shreveport, La., and Waskom, Tex.; and *machinery, equipment, materials*, and *supplies* used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of *natural gas* and *petroleum* and their products and by-products, between points in Texas, Louisiana and Arkansas within 125 miles of Waskom, including Waskom. Robert L. Garrett, 321 Commercial Building, Shreveport, La.

No. MC-FC 62144. By order of April 22, 1959, the Transfer Board approved the transfer to Herman Boland and Alfred Olson, a Partnership, doing business as Bloomfield Creamery Company, Bloomfield, Nebr., of the operating rights in Certificate No. MC 1157, issued January 2, 1941, to Claude Thompson, Wausa, Nebraska, authorizing the transportation, over irregular routes, of *livestock*, from Wausa, Nebr., and points within 20 miles thereof to Yankton, S. Dak. and Sioux City, Iowa, and general commodities, excluding household goods, commodities in bulk, and other specified commodities, from Yankton, S. Dakota and Sioux City, Iowa, to points in above-specified Nebraska territory.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-3604; Filed, Apr. 28, 1959;
8:47 a.m.]

[Ex Parte No. MC-43]

LEASE AND EXCHANGE OF VEHICLES BY MOTOR CARRIERS

APRIL 24, 1959.

By petition filed February 19, 1959, petitioners North American Van Lines, Inc., and Ryder System, Inc., through their attorneys Castle W. Jordan, P.O. Box 33816, 3401 Main Highway, Miami, Fla., and D. W. Markham, 2001 Massachusetts Avenue NW, Washington 6, D.C., request amendment of § 207.2(f) of the leasing regulations of the Interstate Commerce Commission, 49 CFR Part 207, to read as follows: "Definitions: * * * (f) *Owner*. A person (1) to whom title to equipment has been issued, or (2) who, as lessee, has the right to exclusive use of equipment for a period longer than 30 days, or (3) who has lawful possession of equipment and has the same registered and licensed in any State or States or the District of Columbia in his or its name." Replies to this petition may be filed with the Commission within 30 days of the publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-3607; Filed, Apr. 28, 1959;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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